

# **Assessment of the Secure Rural Schools and Community Self-Determination Act Public Law 106-393**

**March 2006**



**Sierra Institute for Community and Environment**



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For the entire study team, I would like to thank the many Forest Service and Bureau of Land Management officials, local government officials, RAC members, project leaders and workers, and others who generously gave us precious time and their knowledge. The study team was impressed with the dedication of so many people, especially those involved with RACs or on projects without pay, working and collaborating to improve the land and their communities. It is a pleasure to perhaps give away one of the primary study findings up front, that is, in so many places they have succeeded beyond that which the framers of the legislation could have hoped for.

Finally, any opinions, findings, conclusions, or recommendations expressed in this publication are those of the Sierra Institute for Community and Environment and do not necessarily reflect the views of the U.S. Department of Agriculture, Forest Service, and the U.S. Department of Interior, Bureau of Land Management. If there are mistakes that remain in this report, and we hope they are few, we take responsibility for those as well.

Jonathan Kusel  
Taylorsville, California  
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## EXECUTIVE SUMMARY

### ***Study Objective***

This study examined the Secure Rural Schools and Community Self-Determination Act (P.L. 106-393) focusing on Titles II and III. Sixteen case studies were conducted in nine states to analyze the functioning of 15 Resource Advisory Committees (RACs) and the projects they have approved (Pennsylvania, the sixteenth case study, does not have a RAC). Title III projects were also examined in counties associated with the RACs. A sub-study of all California Title III expenditures for the first three years was undertaken along with a review of how BLM and Forest Service RACs charged administrative overhead.

### ***Comprehensiveness of the Study***

Fourteen of the sixteen case studies were located in the top seven states receiving Title II dollars; Mississippi was ranked 10<sup>th</sup> and Pennsylvania had no Title II dollars. The states in which case studies were conducted account for 99% of all Title II and 86% of Title III expenditures. The 16 case studies include 36.2% of all Title II and 21.2% of all Title III expenditures.

### ***Title II and Title III Allocation***

*Counties have allocated half of all available P.L. 106-393 funds to Title II and half to Title III. There has been a slight increase in Title II allocations following the first year of the program.*

### ***Collaboration and RAC Functioning***

*The most dramatic achievement of P.L. 106-393 is the impressive collaboration developed among RAC members while approving \$154.4 million dollars of projects nationally. As the first legislation to require collaboration to fund resource management projects, few would have predicted the degree and intensity of success. RAC members, representing diverse interest groups that have been warring for years, agreed that not only could they work together and fund worthwhile projects, but they could also learn from one another. A measure of their success is the fact that no RAC project has been appealed or challenged, and counties have increased their allocations of funds to Title II.*

*A key ingredient of success is that RACs have money for projects and on-the-ground work. Funding has been a powerful motivator for collaboration to advance learning and to support projects that otherwise would not be funded.*

*Collaboration is fertile ground for more collaboration. Previous experience with collaboration has helped RACs get started and become functional sooner. The growth of community involvement with the federal agencies and establishment of various forms of collaboration helped western groups more quickly embrace the idea of RAC collaboration and, as a result, gave them a head start. The Southwest Mississippi RAC, whose members lacked resource-based collaboration history, is proving more successful in those counties where community efforts have been successful in overcoming a historic legacy of racial conflict.*

*New and improved relationships between RAC members (and the interest groups they represent) and the federal agencies have characterized RAC operations. The RAC process has led to a new and more effective public-agency interaction in all but one RAC examined in this study.*



*There remain some areas in which historic distrust of the agencies, distrust among interest groups, or distrust among the counties themselves constrain RAC operation, or prevent RACs from getting established altogether. Single-minded pursuit of an agenda and obstructive influence by interest groups or county officials is one reason for difficulties in launching RACs and for RAC dysfunction.*

*Some RACs lack the wide diversity of participation called for in the legislation; a few interest categories are filled with inappropriate representatives, though, for the most part, category representation is sound. Native American groups are not well represented on some RACs and do not receive project support to the degree that might be expected.*

*Both the “horse and burro” and “labor” categories have been difficult to fill correctly. Changes to these and other individual interest categories are offered to more accurately reflect changing rural economies and communities.*

*The role of “replacements” on a RAC is confused by RAC members and agency officials alike. RAC “replacement” members should not replace RAC interest representatives unless they are legitimate representatives of a vacated interest category.*

### ***RAC Projects***

The largest category of project spending for the case study RACs is on roads, representing just over \$14.6 million or 26.2% of total RAC expenditures. The second largest category is for projects that improve wildlife and fish habitat, totaling \$9.4 million or 17% of total Title II expenditures. A total of \$4.9 million was allocated for watershed restoration and maintenance-related projects, comprising 9% of RAC spending. Forest health expenditures totaled \$7.1 million, 13% of total RAC expenditures.

*Based on the case studies, the requirement that 50% of all Title II projects fund road maintenance/obliteration or watershed improvement/restoration appears to be met nationally. The combined allocations among the case study RACs for roads, habitat improvement, and watersheds totals 52% of the total amount allocated and thus meets the legislative requirement that 50% of RAC dollars support projects “primarily dedicated to road maintenance, decommissioning, or obliteration or to restoration of streams and watersheds.” Few RACs supported projects involving extraction of merchantable material.*

*RAC dollars have enabled the Forest Service and the Bureau of Land Management to implement important projects that would otherwise not be done, but RAC-supported projects are creating new unfunded mandates for the agencies. Some of the projects will require additional investment in the near future for maintenance and upkeep if they are to retain their functions and benefits.*

*Agency policies for recovering RAC-related administrative costs have been confusing, shifting, and inconsistent. Confusion is in part due to the agencies learning about time commitments only after RACs were up and running and projects were launched. This has improved.*

*RAC-funded projects have leveraged millions of additional dollars, many partnerships, and thousands of volunteer hours. Many projects demonstrate the power of public-private partnerships; some are beginning to address landscape-level issues across jurisdictional boundaries.*

*Some RACs have allocated their funds almost entirely to federal projects with little or no support for other projects. More outreach to local businesses, NGOs, and local government is needed.*

*Multi-county RACs face a common challenge managing counties' expectations that they should receive project dollars commensurate with their RAC contributions. This has sometimes led to awkward project approval processes and threats to reduce funding when counties do not receive proportionate shares. This has been relatively uncommon.*

### ***Title III***

The highest funded category of all Title III expenditures in the case studies is “search and rescue and emergency services,” totaling 34.1%. “Fire prevention and county planning” at 24.1% and “forest-related education” at 22% were the next highest funded categories. In California the top three categories were the same, but totals differed somewhat: “county planning and fire prevention” and “search and rescue and emergency services” were the top two funded categories, receiving 30.6% and 30.4% respectively.

*Title III funds have been used successfully for building community capacity to develop community wildfire protection plans that have led to effective leveraging of funds from other sources.* This has been one of the most successful aspects of the Title III program. A considerable amount of Title III funds have been used for planning and building the capacity of communities to engage in fuels reduction and forest thinning, qualifying them for National Fire Plan funds and securing project funds from Title II and other sources.

*In many counties, a large proportion of Title III funds has been distributed through administrative budget allocations, not the formal project proposal process outlined in the legislation under Title II.* A total of 46 percent of all California Title III funds distributed during the first three years of the program were allocated through administrative processes, not through open and competitive processes of proposal solicitation, review, and approval. Half the case study counties distributed funds the same way. It is questionable whether allocating funds through internal county budget mechanisms conforms to the spirit or intent of the legislation. Some allocations, though generally limited in amounts, do not fit the approved categories.

*The lack of oversight and an authoritative source for information about Title III hampered county officials and contributed to irregular proposal processes and allocations. Implementation of Title III would benefit from a central information source.* This entity could take responsibility for ensuring accurate and timely reporting of projects, and could offer training for counties (as well as RACs) to improve project work. It could also serve as a clearinghouse for information about innovative and successful projects, thereby improving program learning.

### ***Employment***

*Across almost all of the cases, RACs have supported youth employment projects. Millions of dollars have been invested in Youth Conservation Corps (YCC) or similar employment programs, as well as programs for at-risk youth. These programs are developing the human capital needed for continued management of forests and watersheds as participants move into resource-related jobs or educational programs.*

*Job creation, beyond youth employment, has been indirect and piecemeal. Most projects offer only part-time or short-term work. In a few cases the RACs or the agencies have attempted to provide projects that bridge seasons and slow-work periods in order to offer year-round work. Lack of monitoring has prevented in-depth analysis and understanding of this issue.*

### ***Institutional Issues***

*The legislation has untapped potential to improve Bureau of Land Management and Forest Service interaction about adjacent ownership, watershed, and landscape management issues.*

*Monitoring of both Title II and Title III has been inadequate and needs to be improved. A few RACs and counties took seriously this responsibility, but even the best focused primarily on general project reporting and implementation monitoring, not on outcome-based monitoring. Title III data has been particularly difficult to secure. Improved monitoring would build in accountability, while contributing to program learning, project development, and improved resource management.*

*Findings from this study strongly support continuing P.L. 106-393. Accomplishments to date, especially the collaborative relationships established and the implementation of individual projects, lay the groundwork for improved future collaboration and projects. Re-authorization should consider using these powerful partnerships and focused projects to help identify and develop a new approach based on payments for “ecosystem products and services” that would provide a viable source of revenue to forest counties beyond the lifetime of the specific P.L. 106-393 legislation. Future payments would be based both on payments for environmental services and on receipts for timber and non-timber forest products. This can help identify mechanisms needed to build a long-term, sustainable future program.*

*The very effectiveness of P.L. 106-393 argues for a concerted effort to use the time for which the legislation may be reauthorized to engage in a period of consultation and reflection on future, long-term measures to ensure the viability of these rural communities.*



### ***Recommendations***

1. RACs represent a new model for establishing public-agency consultative arrangements. These consultative arrangements can be used for activities that go beyond P.L. 106-393 in the future.
2. RACs themselves, the agencies, and possibly third parties should do more outreach and education to inform others about the work and lessons of RACs.
3. RAC interest categories should be modified to reflect changing demographics and to enable them to respond more effectively to issues facing forest communities across the country. Specific suggestions are offered.
4. A. Eliminate replacement members associated with a single category since there is no way to assure that one individual can fill a vacated interest position.
5. Agencies need to be clear with the RAC and the public about the impact on their staff workload and limited budgets of RAC-funded projects that increase agency obligations. A deliberate conversation needs to start regarding how additional obligations will be addressed.
6. Agencies should establish clear and simple guidelines for charging RACs for administrative expenses. Greater consistency will improve understanding and reduce RAC member and project manager frustration.
7. Agencies and RACs need to do more outreach to local businesses, non-governmental organizations, and local government.
8. The meaning of “project” in Title III needs to be made consistent with Title II. More open, competitive, and transparent processes for project solicitation, review, and approval by the counties are needed.
9. A single organization or entity should be given responsibility for ensuring accurate and timely reporting of Title III projects. This entity could also provide training for counties to improve project development, selection, and implementation.
10. There should be accurate and coherent monitoring of Title III projects. Failure to monitor Title III increases the likelihood that funds will be used in ways inconsistent with the spirit and intent of the legislation, and reduces opportunities for learning and collaboration.
11. Should the legislation be extended by five or six years—and we believe it should—where the combined total of Title II and Title III funding exceeds \$200,000 yearly in a RAC area, there should be a requirement that 3-5% of these funds be dedicated to experimental projects examining how forest products and ecosystem services can provide a future stream of revenues to replace the current P.L. 106-393 funding mechanism.

## Executive Summary

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## CHAPTER 1 INTRODUCTION

In 2000, Congress passed the Secure Rural Schools and Community Self-Determination Act to address the negative effects of declining federal receipts on local governments. Since 1908, the federal government has shared a portion of revenues generated on public forest lands with local governments. Timber harvests have far and away been the biggest revenue producer on these lands. By the mid-1990s, however, with the reduction of timber harvests—in some areas by as much as 90%—forest revenues had declined precipitously. At the same time, many rural counties were struggling with the effects of an already declining timber industry and rural deindustrialization. The Secure Rural Schools and Community Self-Determination Act responds to this crisis in rural county revenues. In the Northwest, the act also responded to the impending expiration of the “safety net payment” to 72 counties in Oregon, Washington, and California that was launched in 1993 to mitigate the impact of lost revenues, caused in part by the implementation of the Northwest Forest Plan.

Authorized for six years, through September 30, 2006, the Secure Rural Schools and Community Self-Determination Act aimed to restore payments to levels comparable to what counties were receiving when timber harvests were high, and to stabilize the amounts of payments until a more permanent solution could be devised. Under the act, counties are eligible for annual payments based on the value of harvested timber over the highest three-year average for their state between the years 1986 and 1999. Counties can wait to decide whether to opt into the program, but they may not withdraw from the program during the lifetime of the act. Counties participate in the program when their expected stable receipt payments exceed the value of current federal forest receipts the county receives. Many counties, particularly those in the West and South, joined the program immediately. Some counties, like those in the Upper Midwest, chose not to participate in the program, deciding instead to remain with their current receipt payments, which have been higher than the historic three-year average. Still other counties opted into the program after a year or two had passed and they learned they could obtain more by participating. Today, more than 600, or over 85%, of all eligible counties across the country have chosen to participate in the program.

Title I payments go to county roads and school programs in the case of receipts derived from U.S. Forest Service national forest lands, and to local general funds in the case of Oregon and California (O&C) and the Coos Bay Wagon Road grant lands in Oregon managed by the Bureau of Land Management. The stable Title I payments are vital for many rural counties; it is the Title II and Title III programs under P.L. 106-393 that are new, flexible, and offer the opportunity for experimentation and innovation. Title II gives counties access to funds to be used for reinvestment in forest and watershed health. Title III provides funds for search and rescue activities, forest-related education, fire prevention and county planning, among other uses. Only counties that receive funds under Title I may participate in the Title II and Title III programs. Counties that receive more than \$100,000 in P.L. 106-393 funds per annum must allocate between 15 and 20% of their full payment amount to Title II and Title III, in whatever proportion they wish. Titles II and III are the focus of this report.

Stable payments are a vital part of the legislation, but it is Titles II and III that make it unique because of the emphasis on reinvestment, as well the means to carry it out—through collaboration between local communities that depend on national forest lands and the federal agencies that manage these lands. Collaboration is of particular importance to the land

management agencies, which have faced increasing demands on forestland use, coupled with declining management budgets, resulting in the accumulation of an enormous backlog of maintenance and restoration projects. The legislation, by calling for strengthening cooperative relationships between local communities and land management agencies, offers local people and diverse interest groups the opportunity to take increased responsibility for restoring and improving land health and water quality on national forest lands. Just as important is the expectation that in providing funding for work in the forests, the legislation will offer opportunities to generate local employment.

One of the objectives of the Secure Rural Schools and Community Self-Determination Act is to “improve cooperative relationships among the people that use and care for federal lands and the agencies that manage these lands.” Collaborative, community-based resource management has been advanced at the federal level both administratively and through legislation since the mid-1990s, but these efforts have been largely piecemeal. The Secure Rural Schools and Community Self-Determination Act is the first legislation, however, to explicitly link investment in forest and watershed maintenance and restoration with more open and participatory public decision-making processes. Title II of the act requires that a local, multi-interest advisory body review and recommend projects that improve national forests and watersheds. The collaborative Resource Advisory Committees (RACs) consist of 15 members representing industry, environmental and recreational interest groups, tribes, local governments and residents, and others. A RAC may encompass one county, as they do in California, or up to 11 counties, as in the case of the Salem District RAC in Oregon. Investment in forest and watershed projects through Title II can be substantial. RAC funding ranges from roughly \$3 million per year in the case of the Medford District RAC in Oregon, to \$38,000 per year in the case of the Madison-Beaverhead RAC in Montana. Over 60 RACs have been established across the country under the authority of the legislation, from Mississippi to Alaska, and they have funded projects totaling slightly more than \$150 million of support in the first four years of the program.

P.L. 106-393 also seeks to improve relationships among local people, national forest lands, and federal land management agencies through Title III of the legislation. Through Title III, county governments themselves may support forest-related education, fire prevention and county planning, search and rescue services, conservation easement purchases, and other activities related to national forest lands. Expenditures through Title III total just over \$150 million in the first four years of the program.

The U.S. Department of Agriculture, Forest Service, and the U.S. Department of Interior, Bureau of Land Management commissioned the Sierra Institute for Community and Environment to evaluate Title II and Title III of the Secure Rural Schools and Community Self-Determination Act. Given the novel and experimental nature of these titles, and the fact that the counties themselves determine the allocation of funds to Title II and Title III, it is important to determine if program implementation has been effective, if Resource Advisory Committees functioned as hoped and planned for, and if projects from both titles achieved outcomes consistent with the legislation. Some legislators’ hopes for the act included creative collaboration and experimentation; this compels an examination of whether implementation increased employment opportunities, improved collaborative relationships, and led to innovation in natural resource management.

The results of this assessment will enhance our understanding of the benefits and limitations of participatory models of resource management and stewardship and, as a result, will inform broader policy discussions concerning collaborative community-based natural resource



management and programs such as the National Fire Plan. While this assessment concludes too late to contribute to improving the existing Secure Rural Schools and Community Self-Determination Act program, we hope the findings presented here might aid in the discussion of how such legislation, or its accompanying implementation guidelines, might be modified to more effectively implement program objectives and advance collaboration, as well as contribute to the discussions of re-authorization, given that P.L. 106-393 expires in September of 2006.

The Sierra Institute evaluated the legislation by examining Title II and III projects in 16 cases located in nine states across the country. Cases were chosen with the help of an eight-person advisory committee that included representatives from the agencies, counties, and other entities, all of whom had first-hand experience with the legislation. In choosing the cases, we wanted to ensure that a wide array of outcomes, challenges, and issues RACs and counties experienced would be covered. We did not set out to find successes or failures, but diverse programs, and, to the extent possible, diverse outcomes. Specific criteria for case selection included the amount of money available for RAC project recommendations, single versus multiple county participation in the RAC, geographic size and complexity of the area, state and regional diversity, variation in Title II and Title III allocations, stage of RAC development, and diversity of project funding. Since the Bureau of Land Management O&C receipt payments total roughly 25% of the almost two billion dollars spent to date on Titles I, II, and III, three of the four cases in Oregon that receive O&C Bureau of Land Management receipt payments are included in the study. The remainder of the cases involve U.S. Forest Service national forests and, with the exception of Pennsylvania, which had no RAC, Forest Service-managed RACs. The nine states in which cases were conducted include the eight states receiving the highest P.L. 106-393 payments. The other state, Pennsylvania, is ranked number 10 in terms of its full receipt payment. Case studies are in states where collectively 99% of Title II allocations and 75% of Title III allocations have been made.

Researchers spent anywhere from seven to 14 weeks to complete each case study. This involved collecting information on community and county background and Title II and Title III projects, conducting field work, and writing a draft case study. Researchers gathered information from the agencies, counties, libraries, and through preliminary interviews before traveling to a county or multi-county area. Once in the field, researchers conducted interviews with RAC members, county officials, project leaders, agency leaders—locally and regionally when appropriate—and other key people knowledgeable about the Title II and Title III implementation in their area and natural resource management issues in general. Many projects were examined in the field to learn about project outcomes firsthand. All cases were shared with those interviewed, and then re-drafted before they were made final.

In addition to conducting case studies to examine specific project outcomes, Sierra Institute assessed if and under what conditions stakeholder collaboration, as structured by the RAC process, leads to innovative approaches that satisfy both social and resource management objectives. We also evaluated the institutional mechanisms established at the federal and county levels to implement P.L. 106-393. A fundamental research issue involved trying to understand how effective these mechanisms have been in implementing the legislation.

### ***Organization of the Report***

This report presents findings of the Sierra Institute's assessment of Titles II and III of the Secure Rural Schools and Community Self-Determination Act. The report is organized into the following chapters:

- Chapter 1, *Introduction*, describes the purpose and need for this study and the organization of the report.
- Chapter 2, *Legislating Collaboration: Institutions and the Players that Gave Birth to the Act*, describes the institutional and legislative context that framed the development and enactment of the Secure Rural Schools and Community Self-Determination Act.
- Chapter 3, *A View From the Ground: Case Studies in Implementation*, presents five of the 16 case studies completed as a part of this assessment: Olympic Peninsula (Washington), Idaho Panhandle, Southwest Mississippi, Siskiyou County (California), and Roseburg District (Oregon). A complete list of case studies is included. All 16 case studies are presented in a CD-ROM format, enclosed in the report's jacket pocket.
- Chapter 4, *Counties' Choices: Opting In or Not and Determining Allocations For Title II and Title III*, describes how counties have elected to allocate their Title II and Title III payments.
- Chapter 5, *Utilization of Title III Funds: Case Specific Findings*, describes how counties have implemented Title III of the legislation, including project-based outcomes and institutional challenges. Findings are drawn from an overview of Title III allocations nationally, statewide examinations of Title III expenditures in California and Pennsylvania, and the 16 in-depth case studies covering Title III programs in 44 counties and two Alaskan cities.
- Chapter 6, *The Life and Accomplishments of Resource Advisory Committees: Findings from the Cases*, examines how Title II of the legislation has been implemented, including project-based outcomes, Resource Advisory Committee functioning, and challenges and strengths of the RAC process for improving cooperative relationships and promoting innovation in natural resource management. Findings are drawn from national data on Title II expenditures and the case studies of RACs.
- Chapter 7, *Conclusion and Recommendations*, discusses the lessons learned from this study and recommendations for policy.

These chapters are followed by a References section, which cites sources used for the report, and several Appendices, one of which describes the methods used for this study.

## **CHAPTER 2**

### **LEGISLATING COLLABORATION: INSTITUTIONS AND PLAYERS THAT GAVE BIRTH TO THE ACT**

The purpose of this institutional assessment is to discuss the legislative history of the Secure Rural Schools and Community Self-Determination Act (P.L. 106-393) describing the debate and interest group positions and work, along with those of the Senate and House members and the staff that ultimately determined the final form of the legislation. We also discuss in this section the institutional arrangements created in the legislation that identify the agencies and entities responsible and the processes prescribed for implementing the act. This background sets the stage for analysis of what is working and what is not working, the effectiveness of the agencies, counties, and other entities, and how well the established structures and processes achieve the goals of Title II and Title III of the legislation. Clarity in structure and processes, along with identification of outcomes, allow us to suggest ways that existing authorities and oversight of the legislation can be modified and improved. This section of the report

1. reviews the legislative history of the act,
2. describes of the institutional arrangements created by the legislation,
3. briefly reviews the work of the Forest County Payments Committee and some of its recommendations pertaining to P.L. 106-393, and
4. briefly reviews some of the issues that will challenge reauthorization of the legislation.

#### ***Legislative History and Intent***

##### ***Policy Challenges: Federal Lands and Local Revenues***

When the federal government reserved the national forests for public purposes, states and local communities had to forego the potential revenue they might derive from those lands if they had been either transferred to local governments or divested to private sources. To compensate local governments, as well as to respond to Western hostility to the establishment of the forest reserves, in 1906 Congress directed in appropriations language that 10% of the gross receipts from the national forests managed by the newly-created Forest Service should be turned over to the states for the benefit of public schools and roads, not to exceed 40% of local income from other sources (Dana and Fairfax 1980:90). In 1908, Congress decided to share 25% of the receipts obtained from revenue producing activities on the national forests -- removing the 40% provision -- and to make the legislation permanent. There is scant legislative history of the 1908 provision and its 1906 predecessor. Since both provisions had been added on the Senate floor as amendments to Department of Agriculture appropriations bills, there was no discussion in either House or Senate reports of the provisions or the rationales for the particular compensation rates. Each time the House simply receded to the Senate's action without discussion (Gorte 1999).

Under the 1908 law, states receive the funds, although they must pass them through to local governments for use in road and school programs. The receipts that the Forest Service collects are deposited in a special treasury account (the National Forest Fund), and the proportion that each county receives is based its amount of national forest acreage.

In 1937, Congress extended the revenue sharing to lands managed by the U.S. Department of the Interior Bureau of Land Management (BLM), by directing that 50% of revenues from the Oregon and California (O & C) grant lands and the Coos Bay Wagon Road grant lands be shared with the counties. Unlike the Forest Service program, which funds roads and school programs, payments under the BLM program can be used for any local governmental purpose.

Other programs also provide for county payments. (For a brief description of these programs see Gorte 2000.) One of the most significant for the purposes of this assessment is the Payment in Lieu of Taxes (PILT) program that Congress approved in 1976 to compensate counties directly for the tax exempt status of lands in their jurisdictions. PILT payments, which are administered by the BLM, provide a fixed minimum payment per acre, and the maximum amount received is reduced depending upon how much revenue is received under other revenue sharing programs, including payments to counties made under Title III of the legislation.<sup>1</sup> Unlike P.L. 106-393 payments that are appropriated from the National Forest Fund, PILT payments require annual appropriations from Congress, and thus can, and regularly are, paid below their full amount.

#### *Declining Timber Revenues Reduced Payments*

Historically, the majority of revenues generated from federal forest lands derived from timber sales. After World War II, as timber harvest levels on the federal forests grew, local communities reaped the benefits that increase receipts brought for school and road funding and county general funds from O&C revenues. However, in recent years as public debate swirled over the long-term sustainability of high timber harvest levels, the value of old-growth forests, and the fate of habitat for endangered species, federal timber harvest levels began to decline significantly in many areas of the country. Timber receipts fell an average of 70% between 1985-2000 and as much as 90% in some areas (Congressional Record 2000, S. 8518). Local governments and schools not only experienced the social impacts that a loss of timber jobs and businesses created in their communities, but also saw a precipitous decline in needed revenues for schools and roads. Moreover, even with the payments, the amounts fluctuated widely – rising or falling an average of 30% annually (Gorte 2000:4).

As the effects upon local budgets became apparent, there were several attempts to address the problem. Local governments believed that the U.S. government had made a “social compact” or “contract” with the states when the lands were permanently reserved for a general public purpose, and had a duty and obligation to compensate them for forfeited economic opportunities. However, because local revenues were directly tied to revenue producing activities on federal forests, the county receipt payment program was also subject to criticism that it provided a perverse economic incentive for communities to support commodity-producing activities, and a political incentive to align with the timber industry at the expense of environmental protection (Sample 1990:220-221; U.S. Congress Office of Technology Assessment 1992:151). Although suggestions from time to time had been made that county payments should be based on the value of the national

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<sup>1</sup> The PILT program’s formulas are so complex that one Congressional Research Service report for Congress was entitled PILT (Payments in Lieu of Taxes): Somewhat Simplified (Gorte 1998).

forest lands rather than on receipts, these arguments largely came from eastern areas where land values were high but timber receipts generally low (Dana and Fairfax 1980:91), and the program based on receipts persisted.

Prior to the introduction of legislation in 1999 that led to the 2000 act, several proposals for dealing with declining county payments had been brought forward with varying degrees of success. The Reagan Administration's FY 1985 and 1986 budget proposals, for example, again called for tax equivalency (compensation equivalent to local taxation), but primarily because counties viewed the details of the proposals as actually reducing payments, the proposals did not receive legislative consideration (Gorte 2000:4-5). A few years later, a study of Forest Service planning done by the Congressional (now defunct) Office of Technology Assessment also called for a more simplified and equitable system of tax equivalency to replace the 25% payment system, but again no action occurred (U.S. Congress Office of Technology Assessment 1992). Although tax equivalency is often enunciated as a goal and a measure of parity, it has never gained sufficient political support.

The Clinton Administration successfully proposed a plan for dealing with declining county receipt payments in the Pacific Northwest. One of the economic relief measures contained in the Northwest Forest Plan was a proposal to compensate counties for revenue traditionally tied to federal timber receipts, which Congress enacted in the Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66). This legislation provided temporary "safety net payments" to the 72 counties containing 17 national forests and O&C lands in Oregon, Washington, and northern California affected by the plan. However these payments were ratcheting down and were due to expire altogether by October 2003. Moreover, no similar measures had been enacted that would apply to other counties in the country that had suffered similar declines in shared revenues.

The Clinton Administration, however, failed in its attempts to move legislation that would permanently address the county receipt payment problem. The Administration's main objectives with its proposal were to find a permanent solution, stabilize payment levels, and decouple county payments and agency revenues (Dombeck 1999). In its fiscal year 1999 budget request the Administration proposed legislation to extend the spotted owl payments to all national forests. However, no legislative sponsors could be found for the proposal, possibly because to pay for the program, funding for other USDA agricultural programs would be reduced (Gorte 2000, p. 14), and because the proposal called for decoupling. Similar proposals were put forth in the 2000 and 2001 budget requests, but again no action was taken.

Finally, the National Association of Counties (NACo) had its own proposal for a temporary solution. NACo is a national organization created in 1935 that provides counties a voice in Washington, D.C. It now consists of more than 2000 counties representing 80% of the nation's population. NACo's proposal included the establishment of local advisory committees to make recommendations on payments and on federal land management. It also kept the linkage between revenues and payments intact.

Frustrated with no action on any of the proposals, school superintendents and county commissions from northern California proposed their own formula for relief. Congressional staff, however, pointed out to them that securing legislative approval would be impossible without first broadening the scope and providing relief beyond

northern California. Heeding this advice, the northern California group began to broaden its base, evolving into the National Forest Counties and Schools Coalition. It quickly brought in the timber industry, which assisted in lining up other industrial and business interests and local chambers of commerce. The coalition successfully lobbied southern and eastern states to join the coalition, showing them that what was happening with payments in the West could happen to them also, and arguing that legislative relief would promote consistency in their regions, where timber sales receipts generally fluctuate. With a federal budget surplus, the coalition could argue there would be no costs and only benefits to schools and counties. Importantly, the coalition joined with National Association of Counties and the National Education Association, forming a formidable power block. School officials, for example, had dramatic stories to tell, like having to reduce to four-day weeks, lay off teachers and nurses, and other employees, increase class size, and reduce or eliminate programs. The coalition developed a set of principles, drafted its own legislation, and launched an extensive lobbying effort in Washington.

### *Congressional Deliberations and Issues*

Pressed by the counties organizations, four bills were introduced in Congress during the 106th congressional session: HR 1185 by Peter DeFazio (D-OR); HR 2868 by DeFazio et al.; HR. 2389 by Nathan Deal (R-GA) et al., and Senate 1608 by Ron Wyden (D-OR) et al. Generally, these bills were based either on the coalition's or the administration's proposals. It would be HR 2389 and S1608 as amended by negotiations between the two houses and the administration that would dominate the legislative debate. HR 2389 with 36 co-sponsors was introduced June 30, 1999, and referred both to the House Committee on Agriculture (the committee of jurisdiction over the 1908 act) and the House Committee on Resources. Senator Wyden's bill, S 1608 with 12 co-sponsors, was introduced September 21, 1999, and referred to the Committee on Energy and Natural Resources.

The Congressional Research Service succinctly summarized the major issues that the several pieces of proposed legislation faced (Gorte 2000). First, what should be the basis for compensation—tax equivalency or historic payments as determined by some base period? And if the latter, given fluctuating payments, what time periods should be chosen as the base? Different base periods yield different payment levels. Second, should the program be temporary or permanent? Third, would the geographic basis for allocating funds be by forest, by states, or to counties as allocated by the state? Again, depending on which is chosen as the basis of calculation the amount of compensation varies. Fourth, should a portion of the revenues be required for reinvestment on Forest Service and BLM lands? Fifth, would the funds be permanently appropriated, subject to annual appropriations, or taken first from revenues and then from agency appropriations for non-revenue producing activities? Finally, what would be the program's relationship to other payment programs, particularly PILT?

### *Proponents and Opponents*

The need for legislation was supported by a broad coalition of interests (See Table 1). Congressional members variously and routinely cited between 800-1000 organizations in all 50 states that supported the legislation. In addition to the National Forest Counties and Schools Coalition in partnership with the National Education Association, supporters



included both labor and business organizations, groups generally at odds with one another. In the House, supporters were also able to bring in the Congressional Black Caucus, which was instrumental in building support in the Northeast. There was no doubt that this was a formidable collection of interests backing the legislation.

**Table 1. Some Interest Groups in Support of Legislation**

National Forest Counties and Schools Coalition
Alliance for America
American Forest and Paper Association
American Association of Educational Service Agencies
American Association of School Administrators
Forest Products Industry National Labor Management Committee
Independent Forest Products Association
International Association of Machinists and Aerospace Workers
National Association of Counties
National Association of County Engineers
National Educational Association
Organizations Concerned About Rural Education
The Paper, Allied Industrial, Chemical, and Energy Workers International
People for the U.S.A.
The Southern Forest Products Association
United Brotherhood of Carpenters and Joiners of America
United Mine Workers of America
United States Chamber of Commerce
Western Council of Industrial Workers
AFL-CIO
American Federal of State, County, and Municipal Employees

Source: Congressional Record 1999, H. 11403; Congressional Record 2000, S, 8519

Generally, environmental groups were opposed to the legislation, fearing the capture of the proposed advisory committees by timber and other commodity users. These fears were rooted both in their general suspicion of collaborative resource management as well as by the real connections between the National Forest Counties and Schools Coalition and commodity interests. The coalition's principles supported both timber sales on federal forest lands and the coupling of revenues and county payments. It would have therefore have been impossible to bring environmental groups into the coalition. While environmental groups were not opposed to county payments per se, they were on record against "perverse incentives," whereby harvesters received credits or dollars that would encourage and pay for more harvests, and, even more severe, any commercial sales on national forests. Environmentalists dubbed proposals that retained the link between timber revenues and county payments, "clearcuts for kids."

*Deliberations in the House of Representatives*

As introduced, HR 2389 most closely reflected the coalition's principles. It was referred to both the House Committee on Agriculture and the House Committee on Resources. Committee hearings were held by House Agriculture Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, chaired by Representative Bob Goodlatte (R-VA), and by the House Subcommittee on Forests and Forest Health. However, because the resources committee was more polarized than agriculture, and because agriculture had several members who were interested and supportive, the agreed-upon strategy was to pull the bill from a vote in resources and deprive environmental interests a chance of killing the bill in that committee. HR 2389 was reported out of the full Committee on Agriculture October 18, 1999, with minimal opposition (U.S. House 1999).

While several conservative Democrats lined up in support of the bill, liberal congressional Democrats largely viewed the bill as a timber industry bill. The Democratic Clinton administration also testified in opposition to the House legislation. The administration wanted stable, permanent payments that separated revenues from payments, decoupling "children's education from the manner in which national forests are managed." It opposed the House legislation because of its failure to decouple, and because it feared that the House legislation would require funds to be diverted from other non-revenue generating Forest Service management programs (Dombeck 1999). Conservatives in the House, on the other hand, who had just finished welfare reform, thought that decoupling was bad policy. They saw it as another form of welfare, while coupling, they argued, provided jobs and promoted economic development. Moreover, the timber industry was indeed concerned about the potential loss of political support for harvesting if counties, communities, and schools did not have financial incentive to render that support. Likewise, many counties were suspicious of decoupling proposals, because they liked the pressure that coupling local school budgets to timber harvests placed on local agency officials.

Before the floor vote on the House bill on November 3, 1999, an amendment in the nature of a substitute was offered by Representative Goodlatte, and it was the Goodlatte substitute that the final floor debate on the bill considered. Goodlatte's amendment began to reflect some of the ongoing informal negotiations with the Senate on their version of the Act. It, for example, included provisions for local resource advisory committees to recommend reinvestment projects, an idea that had originated in the Senate.

The Goodlatte substitute relied on appropriations to fund the bill. Representative Sherwood Boehlert (R-NY), who voted for the final House bill, noted during the final floor vote that House supporters agreed the Senate would need to use mandatory funds when it took action (Congressional Record 1999, H. 11399). His concerns echoed those of both administration and environmental groups who argued that dependence upon annual appropriations would cannibalize regular agency appropriation for land management activities. The League of Conservation Voters, Boehlert noted, had specifically addressed this point in a mailing to its members (Congressional Record 1999, H 11399).

During the floor debate on the Goodlatte substitute, Representative Mark Udall (D-CO) offered an amendment that the bill's supporters termed a "poison pill." Focusing

on provisions in the House legislation that would require counties to reinvest 20% of their payments for work on federal lands, Udall's amendment proposed more discretion for local governments, meaning "that a county would not be forced to spend 20% of its payments for doing things that otherwise would be funded under the budgets of the Forest Service or the Bureau of Land Management" (Congressional Record 1999, H 11409). His amendment, which received support from other House Democrats, would have allowed counties to use 20% of their payments for work on federal lands, but not require it. Not surprisingly, supporters of the Goodlatte substitute emphasized the need to stand firm against any floor amendments, arguing that the legislation was as good as it gets, and that such an amendment was a deal breaker that would not survive in the Senate, which had not yet passed its version of the legislation. Supporters countered that it was important to couple lands and counties and lauded the benefits that creating hundreds of Quincy Library Groups would bring as resource advisory committee were formed to review proposed reinvestment projects (Congressional Record 1999, H 11412-11413; H11415-11416). (The Quincy Library Group, a local California collaborative of divergent interests established to give a greater voice to local communities in national forest management, had successfully sought legislation to pursue its forest fuels thinning, restoration, and management plans.) Supporters pointed out that agreeing to the 20% figure was a concession by the schools and counties coalition and should be considered a victory for environmentalists because it minimized the impact of harvesting (Congressional Record 1999, H 11413). Udall's amendment was defeated by a vote of 241-186, and on November 3, 1999, the House approved HR 2389, The County Schools Funding Revitalization Act of 1999, by a vote of 274-153. Before the vote, Representative Charles Stenholm (D-TX), (the Democratic floor manager) noted that the Administration still opposed the bill, but asserted "we are making good progress, and I believe that it is very highly probable that this can become law" (Congressional Record 1999, H11402). The administration, however, viewed the House bill as a "non starter."

### *Deliberations in the Senate*

Senate Bill 1608 was referred to the Committee on Energy and Natural Resources. Senator Larry Craig's (R-ID) Subcommittee on Forests and Public Land Management held hearings on both October 5 and October 19. The full committee favorably reported the bill, which had been recommended by a voice vote, on April 25, 2000. Decoupling, the reinvestment program, how to fund the bill, and county choice were several of the issues that the Senate considered during its deliberations on the bill.

As originally drafted, Senator Wyden's bill simply provided for payments, therefore it was a full decoupling bill. Senator Craig (the subcommittee chair) favored coupling and a provision that was also in the draft of H 2389 as introduced, i.e., if historic timber harvest levels were not achieved, the shortfalls would be taken from the Forest Service's operating budget. Although recognizing that this provision largely reflected county anger with federal agencies, Wyden believed it unnecessarily punished the Forest Service. As an alternative Wyden successfully proposed to Craig what eventually became Title II of the legislation—a program by which counties would reinvest part of their county payments in projects on federal lands and have those projects reviewed and recommended by local advisory committees. The reinvestment program would repair relationships between the federal agencies and local government by giving counties

responsibilities for projects on federal lands, and create more opportunities for public involvement. Craig and Wyden then directed their staffs to flesh out the details. Considerable negotiations thus ensued. For a model for the local advisory committees the drafters explicitly looked to the BLM's grazing land advisory committees (also called Resource Advisory Committees). Those committees had been initially promoted in the 1990s by the Clinton Administration to assist with the development of the agency's range management plans, and were perceived as an operating success. The drafters adopted the BLM RAC's structure of representing three areas of interests – industry, environmental, and local government – but with one significant difference: three out of the five representatives in each area represented would have to agree for projects to move forward. With this supermajority requirement, no one group – be it counties, industry, or environmentalists – could be shut out, providing a sense of assurance to Senate constituencies on each side of the issue. Moreover, approved projects would be more difficult to appeal because they had been agreed upon in a balanced, open process. In addition to debating committee structure, negotiators also spent a considerable amount of time settling upon the categories of projects that could be funded.

Senator Craig's strategy to shepherd the bill through the Senate was to get a bill that would pass by unanimous consent. It is difficult for bills to get floor time for Senate debate, and unanimous consent would jump this hurdle. Second, Craig feared that if Al Gore won the 2000 election, restrictions on the kinds of projects and management practices that had been pushed by the Clinton administration, such as protections for old-growth and roadless areas, would reappear. These had been rejected during the negotiations, and a unanimous consent bill that left no paper trail or a close recorded vote provided the Senate more leverage during implementation to ensure that those proposed restrictions remained on the cutting floor. Finally, once floor time is granted, opportunities emerge for other senators to attach their particular causes to the bill under consideration, which, if controversial, could bring down the entire bill.

Also because of Senate rules and practices, Senate Democrats and the Clinton administration had more leverage to affect the form the legislation that would emerge. As part of its insistence upon decoupling, the administration, for example, testified that it wanted only restoration and maintenance projects to be funded through the reinvestment program “to ensure that receipts for commercial timber sales no longer go towards funding schools and roads and watershed health projects” (U.S. Senate 2000, p. 28). At the time the legislation was moving through, maintenance backlogs on forests were of significant concern within the agencies. The administration saw the legislation as a source of funding for maintenance and restoration, and for the creation of good restoration-related jobs. This, it believed, was a win-win situation while eliminating the funding of such projects through timber receipts and eliminating the perverse incentive to insist on higher cut levels for funding restoration. (The final version would specify that 50% would be dedicated to road maintenance, decommissioning, or obliteration or to restoration of streams and watersheds.)

The administration was also able to insert into the bill a provision for a merchantable material contracting pilot program. This program requires that the harvesting or collection of merchantable materials and the sale of such material be implemented using separate contracts (termed separating the log from the logger). Environmentalists embraced this idea, believing it reduces incentives for loggers to use

environmentally damaging projects in order to maximize sale profits. Over strong objections from House negotiators, the Senate prevailed and the program was inserted in the legislation, but with a gradually increasing percentage of projects that would be subject to the pilot program, and with calls for an assessment of the program by September of 2003.

Environmental interests were also able to exert more influence in the Senate than in the House. For example, the Forest Service Employees for Environmental Ethics (FSEEE), an organization of former and current Forest Service employees and citizens, particularly objected to a provision that first emerged in the Goodlatte substitute. This provision would have all revenues from any project funded in whole or in part by Title II to be returned to the Secretaries in special regional accounts to fund additional projects submitted by counties and reviewed by the RACs. FSEEE claimed this revolving fund provision would make it possible for the committees to invest just \$1 in every revenue generating project, capture the dollars, and end up controlling a significant portion of agency budgets. It claimed credit for rallying its supporters and securing the cooperation of Senator Wyden (D-OR) to strip this provision from the legislation (FSEEE 2005). The final bill would specify that any revenues generated by projects funded under the bill would be returned to the treasury.

There was considerable discussion of what entity would officially possess the reinvestment program's dollars. It was important to senators that the dollars remain federal dollars, otherwise environmentalists could claim the act was devolving to local control. Consequently, once the counties make their choice, the dollars are held by the Forest Service or BLM.

Senator Pete Domenici's (R-NM) support as chair of the Budget Committee was also instrumental in determining how the bill would be funded. As noted above, the House-approved bill was an authorizing bill, that is, appropriations would need to be subsequently sought and legislatively approved. With Domenici's support the Senate bill provided for mandatory spending. After negotiations with the administration and the Budget Committee the final bill also adjusted the formula by which the full payment amount would be calculated, reducing overall costs, and bringing the bill into line with the 2001 budget resolution (Congressional Record 2000, S 8520). Senator Jeff Bingaman (D-NM), ranking member of the Budget Committee, succeeded in attaching a piece of his own legislation, an authorization for a \$5 million dollar cooperative forest restoration program for New Mexico.

The issue of county choice manifested itself in two ways. First, there was intense debate whether to replace the 1908 act altogether or to give counties a choice. Some counties, for example, wanted to keep the 1908 act because their receipts were increasing. As a compromise to keep these counties in support of the bill, the final legislation would allow counties to opt into the bill or stay under the 1908 law. Commenting on the final negotiated bill, Senator Wyden pointed out that "county choice is critical to the bill" (Congressional Record, 2000 S8519).

County choice also manifested itself in a second way in the Senate. County options, for example, had been advanced by organizations such as the Conservation Leaders Network, which would subsequently claim partial victory for the inclusion of Title III in the final Senate version of the bill (Conservation Leaders Network, nd). The organization, with headquarters in Wedderburn, Oregon, is dedicated to forging alliances

among county commissioners, environmental leaders, and citizens. The organization had championed the idea of allowing counties that opted into the legislation to spend 100% of their payment on schools and roads and not be forced to spend a percentage on forest management projects. More than 125 county officials signed on to a support letter in the spring of 2000. The Wilderness Society worked with the network in support of the amendment (Conservation Leaders Network, nd). As they had done in the case of the Udall amendment in the House, the National Association of Counties and other supporters of the legislation opposed giving counties an option to spend all of their county payments on non-forest management projects.

Although Senator Baucus (D-MT) did not introduce the exact option preferred by the environmental groups, he did craft what would be included as Title III in the final bill. While Title II relied on the resource advisory committees to recommend projects, Title III would bypass the resource advisory committee structure and the Forest Service or BLM—which was fine with environmental groups—and allow the counties themselves to approve projects in a number of specified areas. Designed as an incentive to lure counties away from Title II, Title III more fully reflected decoupling and addressed the interest of some county commissioners and environmentalists. In arguing for giving counties a broader range of choice of projects that could be funded, Baucus strategically and skillfully argued that, if the legislation was truly about self reliance and community self-determination (the title of Wyden’s bill), then there was no reason not to let the counties decide how to use their money. Baucus’s title also took advantage of the tension in the county schools coalition between those who wanted coupling and those who didn’t care about politically supporting the timber industry and only wanted the payments. To overcome Senator’s Craig’s insistence that the kinds of projects to be funded not be wide open, however, a list of the kinds of projects counties could fund was inserted into the bill. Title III responded to the needs that counties had for various fuels and fire related activities, such as fire prevention, fire fighting, emergency services, and defensible space education, and Representative DeFazio’s interest in work camps. Title III couldn’t be killed but it was modified.

On the evening of the Senate vote, Senator Wyden addressed the coupling/decoupling issue, noting, “altering the link between timber harvest and county payments does not mean we seek to sever the ties between people and the land” (Congressional Record, 2000 S8519). Therefore, on the one hand, the final negotiated bill did break the financial and political link between education funding and revenue producing activities, which could be legitimately argued achieved decoupling. On the other hand, the provisions requiring counties to direct some of their payments to projects on or benefiting federal lands also legitimately supported the argument that coupling had been maintained. Additionally, even if one conceded that the financial link was severed, it amounted only to a temporary severance because of the sunset provision in the bill. Each side could thus claim victory in terms of the decoupling/linkage issue. Such is the strategy of building successful bi-partisan legislation.

The final Senate bill – The Secure Rural Schools and Community Self-Determination Act of 2000 – as negotiated between the administration, the House, and the Senate, passed the full Senate in the nature of a bi-partisan floor managers’ substitute (Senators Craig and Wyden) by unanimous consent, on September 13, 2000.



### *A Bill Becomes a Law*

Although House members were less than enthused with certain aspects of the Senate bill, especially Title III, the Senate wanted to avoid going to conference committee to reconcile differences between the two bills and then return the bill to the Senate floor for a vote. If they had to return with a conference report, and items such as Title III had been deleted, supporters could have then placed a hold on the bill. (A hold could have delivered a fatal blow to the bill's chance of success.) Thus provisions like Title III or the merchantable pilot program, which might have normally fallen out during formal conference proceedings, remained in the bill. In addition, the Administration's position was that the House would need to accept the Senate version. In the end, Senate strategy and mores prevailed over the House version of the bill.

The House subsequently approved the Senate amendment to the House bill by voice vote on October 10, 2000, and it was signed into law by President Clinton on October 30, 2000. Of particular significance: unlike most pieces of legislation, the bill passed during one congressional session, and it passed as a stand-alone piece of legislation, without being attached to another piece of legislation as a mechanism to secure quicker passage.

### *Institutional Design*

As enacted, the Secure Rural Schools and Community Self Determination Act of 2000 (P.L. 106-393) has three purposes:

- (1) To stabilize payments to counties to provide funding for schools and roads that supplements other available funds;
- (2) To make additional investment in, and create additional employment opportunities through, projects that improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality. Such projects shall enjoy broad-based support with objectives that may include, but are not limited to –
  - (A) road, trail, and infrastructure maintenance or obliteration;
  - (B) soil productivity improvement;
  - (C) improvements in forest ecosystem health;
  - (D) watershed restoration and maintenance
  - (E) restoration, maintenance and improvement of wildlife and fish habitat
  - (F) control of noxious and exotic weeds; and
  - (G) reestablishment of native species.
- (3) To improve cooperative relationships among the people that use and care for Federal lands and the agencies that manage those lands.

Significantly, Congress expected the act to be a temporary fix, and gave it an expiration date of September 3, 2006.

### *Title I*

Title I essentially allows counties with national forest funds to elect to continue receiving payments under the old 25% formula, 50% for those counties receiving BLM funds, or they can choose instead to receive an amount that is calculated from the three highest receipt payments and safety net payments under the Northwest Forest Plan made to an eligible state during the period between fiscal year 1986 through fiscal year 1999.

(The latter is termed the full payment amount.) Election to receive the old 25% or 50% payment remains effective for two years, while the full payment remains effective through fiscal year 2006, when the act is set to expire. Under the full payment option counties that receive distributions from the agencies in excess of \$100,000 per fiscal year must then use between 80 and 85% of their dollars consistent with what the old formulas required. They then can then choose one or more of three options for use of the remaining 15 to 20%: (1) use under Title II of the act, (2) use under Title III of the act, or (3) return to the treasury. The full payment amount is adjusted for changes in the Consumer Price Index. Thus counties can continue to be linked to revenues generated under the old receipt payment laws, or, under the full payment option, they can elect to receive a secure payment that is not linked to revenue generating activities on the federal lands.

According to a study conducted by Boise State University, Title I has been successful in accomplishing its stated purpose of stabilizing payments (Ingles 2004). The vast majority of the counties receive more money from the act than they would have under the 25% payment method. By 2003, 86% of all eligible counties elected to participate in the program.

The Forest Counties Payments Committee's (2003) study examined the fiscal effects of the act. It concluded that the counties electing payments under the act received a substantial increase in federal land payments, even after the offsetting decline in PILT payments. It also concluded that counties not associated with the act also were better off because the effect of the prorated reduction in PILT payments was then lessened. However, even with the addition of the act, tax equivalency is not achieved, although the gap between federal revenue sharing payments and income from taxes is getting smaller (Gebert 2005).

Not all counties have opted into the act. The Boise study found jurisdictions in western and southern states more likely to do so than counties in the Great Lakes area. In the Great Lakes region, receipts under the 25% payment option are now higher than if payments were calculated under the formula contained in the Secure Rural School act (Ingles 2004:13).

### *Title II – Projects to Benefit Federal Lands and RACs*

Title II outlines the process by which special projects under the title can be developed and approved, and directly addresses the second and third stated purposes of the act. Its legislative intent is to forge a new federal-county linkage and enhance cooperative relationships between local people and the federal land management agencies. It legislatively mandates collaborative approaches to decision-making, specifies the mechanisms by which such collaboration shall occur, and provides dollars for collaborative efforts.

Projects in the seven categories enumerated in the second purpose of the act are eligible for funding under Title II. However, 50% of all project funds (nationally) must be used for projects primarily dedicated to road maintenance, decommissioning, or obliteration, or restoration of streams and watersheds. Projects can either be undertaken entirely on federal lands, or on non-federal lands if the projects would benefit resources on federal lands.

Resource Advisory Committees (RACs) established under this title are the principal mechanism by which eligible projects are initiated and approved. RACs consist

of 15 members appointed by the respective secretaries for three-year terms and exist to improve federal-local cooperative relationships and to advise the land management agencies. (The Secretary of Agriculture delegated his appointment authority to the Under Secretary overseeing the Forest Service; in the Interior Department authority remains with the Secretary.) The title makes clear that membership must be balanced in terms of the interests represented.

There is flexibility in RAC creation, in that RACs may be established for part of, or for multiple, units of federal land. As noted above, the structure and membership of the RACs are derived from language establishing the BLM grazing land Resource Advisory Councils. To ensure such balance, the title outlines the community interests that must be represented in three separate categories:

- (1) five persons who
  - (i) represent organized labor;
  - (ii) represent developed outdoor recreation, off highway vehicle users, or commercial recreation activities;
  - (iii) represent energy and mineral development interests;
  - (iv) represent the commercial timber industry; or use permits within the area for which the committee is organized
  - (v) hold Federal grazing permits, or other land use permits within the area for which the committee is organized.
- (2) five persons representing –
  - (i) nationally recognized environmental organizations;
  - (ii) regionally or locally recognized environmental organizations;
  - (iii) dispersed recreational activities;
  - (iv) archaeological and historical interests; or
  - (v) nationally or regionally recognized wild horse and burro interest groups.
- (3) five persons who –
  - (i) hold State elected office or their designee;
  - (ii) hold county or local elected office;
  - (iii) represent American Indian tribes within or adjacent to the area for which the committee is organized
  - (iv) are school officials or teacher; or
  - (v) represent the affected public at large.

A person is appointed to the RAC after a call for nominations and submission of background information and recommendations. As the process has been implemented in the Forest Service, field evaluation teams review the submitted information. They also develop additional criteria by which applicants are evaluated, including for example, geographic distribution, gender, ethnic diversity, consensus-building ability, and active participation in current natural resource issues. Discussions with county commissions and other organizations also take place. Recommendations are then forwarded to Washington for procedural checks and appointment. To date, no field recommendations have been overturned at the Secretarial level.

To further collaboration and balance, any project recommended by a RAC must have been approved by a majority of the members within each category. This supermajority requirement falls between an absolute consensus model and a simple

voting majority model. Approval for a recommended project ultimately, however, lies with the agency, and is typically made by a Forest Supervisor or a district manager for the BLM.

RACs are subject to the terms of the Federal Advisory Committee Act (P.L. 92-463), which requires advisory committees to be officially chartered, have fairly balanced membership, have a designated federal official (DFO) or employee to approve the agenda for each meeting, and follow formal administrative procedures, such as publishing notices of meetings in the Federal Register, taking detailed minutes of meetings, and opening all meetings to the public.

All projects recommended by RACs must conform to the respective agencies land management plans, and are subject to environmental review. The respective secretary has sole discretion to approve or reject a forwarded project, and rejections are not subject to administrative appeal or judicial review. The title also sets forth what is required to be documented in each proposal, including expected outcomes, project costs, source of funds, project duration, and detailed monitoring plans.

In what is another novel institutional arrangement of the act, the federal government provides payments (federal dollars) to counties, and the counties have the authority to decide whether to allocate between 15 and 20% of those dollars to Title II and/or Title III or return them to the treasury. While states have been given authority to allocate federal dollars (e.g., fire assistance dollars), in no other legislation are local governments given the authority to determine whether federal dollars may be considered county or nonfederal dollars by allocation to Title III, or remain as federal dollars by designating them for Title II use. In the case of Title II, after the RACs recommend projects and project funding levels and they are approved by the designated federal official, the dollars then “turn back into federal dollars.” As federal dollars, the federal agencies are responsible for the contracts, grants, or cooperative agreements to implement the projects.

Title II also contains a provision for the merchantable material contracting pilot program. Under the program, the percentage of projects involving merchantable materials that would be subject to the pilot program increases each subsequent year, up to 50% of all such projects. The act also required the General Accounting Office (now called the Government Accountability Office) (GAO) to evaluate the program and report upon its assessment by September 30, 2003. By the time the GAO undertook its assessment, however, only 13% of all forest-related projects were expected to generate any merchantable material and thus be eligible for the pilot program, and only six were to be conducted under the terms of the pilot program. Moreover, none of the six had been implemented. The GAO briefed the Congress on the status of the program in May 2003, and because of the small number of projects, it was mutually agreed upon not to proceed with any further assessment (General Accounting Office 2003). This program is not reviewed as a part of this assessment.

### *Title III – County Projects*

Counties may decide to skip participation in Title II and participate in Title III. Funds used under this title are termed county funds. There are six authorized uses for these dollars outlined in the act:

(1) Search, rescue and emergency services. – An eligible county or applicable sheriff’s

department may use these funds as reimbursement for search and rescue and other emergency services, including fire fighting, performed on Federal lands and paid for by the county.

(2) Community service work camps. – An eligible county may use these funds as reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.

(3) Easement Purchases. – An eligible county may use these funds to acquire –

(A) easements, on a willing seller basis, to provide for non-motorized access to public lands for hunting, fishing, and other recreational purposes;

(B) conservation easements; or

(C) both.

(4) Forest Related Educational Opportunities.– A county may use these funds to establish and conduct forest-related after school programs.

(5) Fire Prevention and County Planning.– A county may use these funds for

(A) efforts to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires; and

(B) planning efforts to reduce or mitigate the impact of development on adjacent Federal lands and to increase the protection of people and property from wildfires.

(6) Community Forestry. – A county may use these funds towards non-Federal cost-share requirements of section 9 or the Cooperative Forestry Assistance Act of 1978.

Unlike Title II projects, the selection of Title III projects is entirely decided by county officials. Secretarial approval is not required. Projects undertaken under Title III, however, can only be approved after a 45-day public comment process, and after having been sent to the appropriate RAC, if one exists for the county. County funds are counted against PILT payments.

#### *Additional Titles – Titles V-VII*

While Titles II and III are our chief interest in this study, the act also contains additional titles. Title IV covers miscellaneous provisions, specifying, for example, that funds made available under the act are in addition to the agencies' annual appropriations, and allowing the concerned secretaries to issue implementing regulations. Title V makes a clarification in terms of how the shared state-federal revenues from onshore mineral and geothermal activities are calculated, correcting a separate problem that had emerged with another revenue-sharing program. Title VI outlines the Community Forest Restoration Act, authorizing the New Mexico collaborative restoration program. Finally, Section 4 of the bill ensures that county payments under the act are included in the calculation of PILT payments.

#### *Forest Counties Payments Committee*

As originally introduced in the House, HR 2389 contained a provision for a county payments committee composed of seven members that would study alternatives and provide recommendations for permanent resolution of the county payments problem.

The proposal called for a seven-member committee composed of: the Chief of the Forest Service or a designee with significant expertise in sustainable forestry; the director of the Bureau of Land Management or a designee with significant expertise in sustainable forestry; the director of the Office of Management and Budget, or the director's designee; two members who are elected members of the governing branches of eligible counties, one to be appointed by the President pro tempore of the Senate (in consultation with the chairmen and ranking members of the Senate's committees of jurisdiction) and other to be appointed by the Speaker of the House (similarly in consultation); and two members who are elected members of school boards for, superintendents from, or teachers employed by, school districts in eligible counties (again with similar procedures of House and Senate appointment). The bill also allowed an executive director and other staff to be employed.

Several concerns were raised about the committee (Gorte 2000:8). First, there were concerns about how the committee could effectively meet a provision in the bill that required the committee to evaluate the program six months after the first of the payments were distributed under the law. Another criticism centered on the provision that the committee's recommendations for a permanent solution be "at or above" the temporary payments level, and that the committee be charged with developing recommendations for maximizing the amount of revenues collected from federal lands. Finally, questions were raised about committee composition. The requirement for two local county officials and two school officials made the majority of the committee dominated by the very beneficiaries of the payments; this was likened by opponents as the "fox guarding the henhouse." As an alternative to the committee outlined in HR 2389, opponents proposed an independent, non-partisan organization qualified to assess both the local and fiscal implications and the land management ramifications. Both the General Accounting Office and the National Academy of Sciences were cited as possible candidates.

Although provision for the Forest Counties Payments Committee was dropped during the legislative process, House and Senate negotiators agreed that it would be brought forward in the Interior appropriations bill, which Congress did in Section 320 of P.L. 106-291, the Department of the Interior and Related Agencies Appropriations Act of 2001. Although committee composition remained essentially the same as it had been in the original draft of HR 2389, missing from the enacted legislation were the requirements that recommendations must be "at or above" the temporary payment levels and that the committee seek methods for maximizing revenues from federal lands.

Pursuant to its legislative charge to provide Congress and the six congressional committees of jurisdiction for the committee with alternatives and recommendations within 18 months, the committee held ten listening sessions around the country and submitted its report to Congress on February 6, 2003. The report detailed its findings about implementation of P.L. 106-393 and discussed a number of payment options. Chief among its recommendations was reauthorization of the Secure Rural Schools legislation (Forest Counties Payments Committee 2000). The committee also recommended that Congress:

- Retain payment levels established under the Secure Rural Schools Act (P.L. 106-393).
- Continue to make payments directly to States for counties adjacent to national

forests.

- Provide statutory language prohibiting States from offsetting State education dollars with Federal forest payments.
- Future payments made to States and counties should not be subject to annual appropriations, and should be fixed at levels established under P.L. 106-393 for the first 10 years. Receipts collected from public lands should be used to reduce the total cost to the Treasury.
- Further study is needed to fully understand the costs to local governments associated with the presence of public lands.
- Allow more flexibility for local governments to spend the non-school portion of Federal payments.
- Title III should be continued under long-term legislation, and categories expanded to allow for expenditure of funds for non-reimbursed services provided to public lands by local governments.
- Long-term payment legislation should contain provisions for resource advisory committees.
- The Forest Service and the Bureau of Land Management should initiate regulations to clarify administrative questions to provide consistency for Titles II and III.
- Broaden membership categories to allow for participation by relevant local interests.
- Congress and the administration should consider designating additional funds from other sources for use by resource advisory committees, especially in those national forests and counties where available dollars for Title II projects are limited. (Forest Payments Committee,
- Monitoring of P.L. 106-393 needs to be undertaken.
- Revise the Forest Service Appeal Regulations to reward collaborative efforts.
- Congress should continue to address statutes, regulations, and policies that affect forest health.

The committee's authorization expired before the committee was able to fully examine the effects of the Secure Rural Schools act or to engage in formal discussions with Congress about its findings and recommendations. Thus, legislation to extend the terms of the committee for another four years was introduced in the House in October of 2003 by Representatives Greg Walden (R-OR) and Peter DeFazio (D-OR). It passed the House by voice vote on October 28. In the Senate, the Subcommittee on Public Lands and Forests held a hearing on March 10, 2004, and the following month, on April 28, the full committee on Energy and Natural Resources favorably reported the bill without amendment. Final Senate approval occurred on September 15, 2004, and was signed into law by the President on October 5 (P.L. 108-319).

In September of 2005 the committee produced another report, which showed payment data and revisited some of the recommendations made in its 2003 report.

### ***Reauthorization***

Legislation to reauthorize and extend the act until 2013 was introduced in the House on February 2, 2005, by Representative Walden (HR 571) and 39 co-sponsors, and

on the same day in the Senate by Senator Craig and 14 cosponsors (S 267). The two bills are exactly the same. An oversight hearing on the 2000 act was held on February 8 in the Senate's Energy and Natural Resources Subcommittee on Public Lands and Forests. A month later, on March 8, the same subcommittee held a hearing on the reauthorization legislation.

Widespread support for the legislation was expressed at the hearings. Not surprisingly, two county superintendents who are members of RACs, one of whom sits on the Forest Counties Payments Committee, spoke of the benefits of the legislation. Evidence was also presented by former skeptics about the act's successes. The Wilderness Society, for example, testified that the legislation had met its defined goals, had resulted in beneficial and non-controversial projects on the national forests, and had successfully brought divergent community members together. It supported reauthorization if no major changes were made to the original legislation. It therefore expressed concerns that the reauthorization bill would make the merchantable material program discretionary, only allowing a pilot program to be established in response from a request from a RAC. Another environmental group member from the Oregon Natural Resources Council, who sits on two Oregon RACs, also testified in favor of reauthorization (U.S. Senate 2005b).

A statement that Mark Rey, Agriculture Undersecretary for Natural Resources and the Environment, made to reporters following the February 8 oversight hearing received widespread attention (Berman 2005). Rey indicated that it would be difficult to fully fund the program given the federal deficit. During his testimony he had praised the act, but he had not addressed the funding issue, although he had pointed out that the payments were generally higher under the act than under the 25% system. The following month, during the March 8 hearing, both Rey and Chris Kearney, Deputy Assistant Secretary for Policy and International Affairs in the Department of the Administration, stated the administration's position that it could support the reauthorization legislation "if amended with agreed upon savings that fully offset the cost of the bill in FY 2007 and beyond...." (U.S. Senate 2005b, p. 8).

While figuring out how to fund the 2000 act was not without controversy, the 2000 act was passed in an era of budget surplus. The current situation is one of budget deficit. As reauthorization moves forward, getting into the President's budget proposal will be critical as will action by the congressional budget committees. Budgeteers will need to find some way of funding reauthorization, and the opportunities are limited. Some might look to agency budgets, but the funding required is simply too large for the agency budgets to absorb. Although there are some within the schools coalition that want to focus on receipts and use the budget situation as an incentive to push for recoupling and increased timber production, there are still others in the coalition that just want the dollars, and it will be essential to keep the coalition intact. Recoupling would also likely lose the environmental support that has thus far been generated and reenergize environmental opposition. Finally, some have suggested that there may be other receipts that can be tapped, such as receipts from mineral resources bonus bids, or unused funds in non resource-related programs, e.g., rural development dollars for Iraq. The 2007 Budget Resolution will need to decide whether the dollars are scored against programs emerging from the House Resources Committee or the House Agriculture Committee. This will make a significant difference because in 2007 the Agriculture Committee will



be taking up another farm bill whose popular programs would compete with funds needed for the reauthorization measure. Finding the dollars to fund the program will undoubtedly be the most controversial issue during the reauthorization process.

The challenge of funding the program could involve addressing the formula upon which the 2000 funding is distributed. Changing the formula could, for example, lower overall program costs. Reopening the formula, however, also provides opportunities for states with powerful congressional delegations to argue for a new formula that would give their states more funding. Reopening the formula also increases the potential for creating an east-west division over dollars. There is certainly recognition by other states and the Republican administration that Senator Wyden's state of Oregon – a blue (Kerry) state in the last presidential election – gets a sizeable share of the total dollars. The senator, however, is not likely to yield funding for his counties easily. Tinkering with the formula is about power and politics, as well as the purse.

Another concern that the administration expressed in its House testimony on reauthorization concerned Title III accountability. Both the Department of the Interior and the Department of Agriculture opposed as unworkable the proposed reauthorization requirement that the respective secretaries monitor and report on the use of Title III funds. The Department of the Treasury had told the departments that it didn't have the capacity to do the annual auditing. The departments also pointed out that U.S. government auditors showing up at the counties' doors would not be well received. Instead the administration stated that it preferred to have Title III funds subject to "review and approval" of a RAC (U.S. Senate 2005b, March 8, p. 18). However, during the final Senate debate on the 2000 act, a colloquy between Baucus, Wyden, and Senator Barbara Boxer (D-CA) addressed the role of an advisory committee in terms of Title III. These Democratic senators made it clear that, for them, the roles of the RAC committees in terms of Title III were to be advisory only, and that "counties are to have full discretion to spend title III funds for the purposes enumerated under title III without any restrictions or limitations placed upon them by the Resource Advisory Committees" (Congressional Record 2000, S 8523). Unlike Title II, Title III projects, Senator Baucus insisted, "are not in any sense 'federal' projects" (Congressional Record 2000, S 8524).

Despite the challenges facing renewal of the Secure Rural School and Community Self-Determination Act, especially in the current budget climate, there is a fairly strong push to keep substantive changes relatively simple. The more changes, the more likelihood that the formula for funding comes into play, which, as noted above, triggers major negotiations. Because of the budget situation, changes in congressional committee assignments since 1999-2000, and subtle divisions within the schools coalition, the more issues put on the table the less certain the outcomes could be. Right now there appears to be consensus in favor of taking the least risky path.

The House Resources Committee passed the reauthorization legislation out of committee under unanimous consent and without amendment on May 18, 2005. The Senate has not acted, and current prospects are that nothing will happen until the 2007 budget resolution is negotiated, and the deadline for action is more pressing.



### **CHAPTER 3**

#### **A VIEW FROM THE GROUND: CASE STUDIES IN IMPLEMENTATION**

This assessment presents findings based, in part, on 16 case studies of rural counties or Alaskan cities that receive payments associated with the Secure Rural Schools and Community Self Determination Act (P.L. 106-393). The case studies cover 9 states and include analysis of Title III programs in 46 counties and the Alaskan cities of Wrangell and Petersburg associated with federal forestlands, as well as 15 Resource Advisory Committees (RACs) for which those counties and Alaskan cities have allocated Title II funds (Pennsylvania has no RACs). The case studies, listed by state, are:

##### ***Alaska***

- Wrangell-Petersburg Forest Service RAC

##### ***Arizona***

- Eastern Arizona Counties Forest Service RAC

##### ***California***

- Del Norte County Forest Service RAC
- Siskiyou County Forest Service RAC
- Tuolumne County Forest Service RAC

##### ***Idaho***

- Idaho Panhandle Forest Service RAC
- Southwest Idaho Forest Service RAC

##### ***Mississippi***

- Southwest Mississippi Forest Service RAC

##### ***Montana***

- Lincoln County Forest Service RAC

##### ***Oregon***

- Coos Bay BLM RAC
- Fremont-Winema Forest Service RAC
- Medford BLM RAC
- Roseburg District BLM RAC

##### ***Pennsylvania***

- Elk County; Forest County; McKean County; and Warren County Title III programs (Allegheny National Forest)

##### ***Washington***

- Colville Forest Service RAC
- Olympic Peninsula Forest Service RAC

Cases were chosen for their geographic diversity and complexity, the range of implementation practices they illustrate, the ecological and collaborative outcomes they represent, and the variety of issues and lessons they elucidate. The selected counties and Alaskan cities represent a variety of examples for the allocation of Title II and Title III funds. RACs advising both the Forest Service and the Bureau of Land Management are included. Some RACs include multiple counties, and some are single-county RACs. Some receive very large federal payments and some receive relatively small payments. Some RACs build on experience with prior collaborative efforts, and some represent first efforts at agency-interest group collaboration. Together, these local examples illustrate a diversity of challenges that forest-dependent communities face, and the powerful outcomes of the Secure Rural Schools and Community Self Determination Act in action.

The forest-dependent counties and Alaskan cities represented in this study have historically relied heavily upon timber and other extractive industries including mining and commercial fishing as their primary economic activities. Given the vulnerability of these industries to fluctuations in national and international markets, these rural areas have suffered severe economic downturn with the decline of timber harvests on federal forestlands and declines in the domestic timber industry. In the eastern cases of Pennsylvania and Mississippi, small, but significant portions of the counties are federally owned. In Mississippi, the overwhelming majority of forestland is in private, non-industrial ownership. This is in contrast to the western counties, where in some cases up to two-thirds or more of the county is in public ownership.

While timber harvests peaked in the mid to late 1980s on many national forests in the West, beginning as early as the 1970s, national recessions, changes in the export markets for forest products, competition from mills in the South and imports from Canada, corporate buyouts and consolidations, and increased mechanization coalesced to strain the timber industry. Large companies turned elsewhere to look for profits, and many smaller, family owned companies found themselves forced out of business altogether. In the 1990s, timber harvests on federal forests plummeted with the setting aside of reserve and wilderness areas, reduced availability of large diameter timber due to prior harvesting practices, and the stipulations of state and federal legislation regarding clean water and endangered species protection. National forest management plans faced legal challenges reflecting a growing interest on the part of the general public in protecting a broader diversity of ecological and conservation values.<sup>1</sup> Catastrophic wildfires, such as the 500,000-acre Rodeo Chediski wildfire in Arizona, have exacerbated the drastic reduction in timberlands on national forests.<sup>2</sup> Reduced access to timber on state and federal lands contributed further to an already declining and increasingly concentrated timber industry. This matrix of pressures affected not only timber companies, but secondary and tertiary industries such as mills and other forest product processing plants and transport companies to reduce or close down operations, laying off thousands of workers across the West.

These reductions in timber harvests have rendered forest-dependent counties vulnerable to significant economic decline and the social dislocation that accompanies it. The counties and

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<sup>1</sup> Southwest Mississippi provides an interesting counter example, where timber harvests on the national forest remained high up through 2000, and legal challenges based on habitat concerns are a recent development.

<sup>2</sup> In some cases, the threat of catastrophic wildfire has inspired recent innovative efforts for small-diameter thinning and economic enterprise.

Alaskan cities represented in these case studies have unemployment and poverty rates<sup>3</sup> that exceed their statewide averages, and median income levels that fall significantly below their statewide averages. Many of these counties have been identified by their state governments as being economically “distressed.” With the loss of family-wage jobs, sectors of rural communities are seeing deepening poverty, dwindling populations, and declining school enrollments.

Some counties, or portions of counties, are faring better, particularly those with growing urban areas or appealing natural destinations where production economies are shifting toward amenity economies. Counties that contain or are near urban areas are seeing population increases, with growth in residential and second home construction, and in some cases are attracting new employers such as corporate headquarters or call centers. Service sector jobs are growing in these areas, though many of these do not provide a living wage for families, and are not providing jobs to workers displaced from the timber sector. Despite economic growth, the population of those living and working below the poverty line persists. These pockets of growth often reflect the changing face of forested counties – a growing number of retirees and professionals in the new information and technology sectors bringing transferred wealth and a sensibility about natural resources that tends to focus more on conservation values than on production. In addition, in a number of areas, immigrant populations are increasing, primarily from Spanish-speaking countries, working in construction, landscape, and service sector jobs. While unemployment and poverty rates remain high on Native American lands, a number of tribes have become important leaders of economic enterprise, and in some counties, are among the largest employers providing jobs in natural resource management, clinics, hotels and casinos, cranberry production and transport, and tribal government.

Finally, the cases included in this assessment reflect a range of experiential contexts in which Resource Advisory Committees operate. In a number of areas in the West, where conflict and legal battles have accompanied economic decline and changing resource management values precipitated by legal or federal agency requirements, there are many examples of efforts to build bridges between contending interests toward collaborative resource management. Watershed councils, intertribal fisheries commissions, federal advisory committees on the Northwest Forest Plan, and county partnerships for environmentally sustainable economic development have brought together diverse, and previously antagonistic, interests to explore collaborative solutions to complex environmental and economic issues. In our 16 cases, we find that prior experience with these collaborative efforts is one of the factors that helps RACs succeed. In some cases, as in southwest Mississippi, the RAC represents a first effort of its kind, and agency staff have invested significant time in outreach to build buy-in for the process. In Pennsylvania, where conflicts rage over how the hardwood forest should be managed, counties felt that the RAC process presented too much risk to already tenuous, and at times, volatile interest group relationships. Pennsylvania has invested all of its funds into Title III programs.

While the analysis and lessons for this assessment are drawn from all 16 case studies, we have chosen to present the following five case studies of Resource Advisory Committees and associated county Title III programs in full:

- Olympic Peninsula Forest Service RAC (Washington),
- Idaho Panhandle Forest Service RAC
- Southwest Mississippi Forest Service RAC
- Siskiyou County Forest Service RAC (California)

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<sup>3</sup> An exception is Tuolumne County, in California, where the county poverty rate is lower than the statewide average, but pockets of poverty persist.

- Roseburg District BLM RAC (Oregon)

The five case studies represent a spectrum of the approaches that rural communities across the nation have adopted in implementing Title II and Title III of the Secure Rural Schools and Community Self Determination Act. They, together with the report that follows, synthesizing lessons from all 16 case studies, highlight some of the achievements and successes of the program, while identifying some problematic issues in which resolution would enhance the importance of the legislation in the event of its reauthorization.

# **Olympic Peninsula Resource Advisory Committee and Title III Case Study**

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<sup>1</sup>Katie Bagby and Stephanie Pendergrass completed the field research for this case study.





## Background

The Olympic Peninsula Resource Advisory Committee (RAC) advises the Olympic National Forest in Washington State. The RAC is made up of the four peninsula counties—Clallam, Jefferson, Mason, and Grays Harbor—and also includes representatives from Thurston County, which is adjacent to, but does not include, national forest land.

The Olympic Peninsula is the western-most landmass of the state of Washington and includes diverse rainforest, riparian, agricultural, and coastal habitats. Mt. Olympus receives more rainfall than any other location in the contiguous United States—more than 220 inches per year—while the town of Sequim, just 34 miles away on the east side of the Olympic Mountains, receives less than 20 inches.<sup>2</sup>

The vast majority of the landmass on the Olympic Peninsula is publicly owned and managed. The largest land manager on the peninsula is Olympic National Park, over 922,600 acres in the middle of what was once the Olympic Forest Reserve (designated in 1897), and is now the Olympic National Forest. The Olympic National Forest manages over 633,600 acres. Washington State manages 14 state parks and other lands on the peninsula. There are 13 Native American tribes associated with the Olympic Peninsula: Chehalis, Jamestown S’Klallam, Hoh, Lower Elwha Klallam, Nisqually, Makah, Port Gamble S’Klallam, Quileute, Quinault, Shoalwater Bay, Skokomish, Squaxin Island, and Suquamish. The peninsula is largely rural with the largest urban centers being Port Angeles in the north (population 18,530) and Aberdeen in the southwest (population 16,420). Other towns on the peninsula have populations of less than 10,000. Management of the public lands, tourism, and development on the peninsula are influenced by Washington’s largest urban cen-

ters, Seattle and Tacoma across the Puget Sound, and Olympia, the state capitol to the south.

The Olympic National Forest manages 2,178 miles of roads, 270 miles of trails, and 20 campgrounds. It affects and is affected by 13 key watersheds and provides habitat for six threatened and endangered species. To manage all of this, the forest has just under 100 full-time permanent staff working at forest headquarters in Olympia and two ranger districts, the Hood Canal District in Quilcene and the Pacific District-North in Forks and the Pacific District-South in Quinault. Since 1990, the forest’s budget from Congressional appropriations declined by more than 63%, four ranger districts have been consolidated into two, and staffing on the forest has been cut by 70%.<sup>3</sup>

The Olympic National Forest manages land in four counties: Clallam, Grays Harbor, Jefferson, and Mason, ranging from 127,000 acres in Mason County to over 199,000 acres in Clallam County. Since the late nineteenth century, Olympic Peninsula counties have relied heavily on timber from private and public lands. In 1944, Congress passed the Sustained Yield Forest Management Act to stabilize the forest products industry and timber-dependent communities with a steady stream of timber and local processing, as well as to secure forest benefits for waterflows, climate, wildlife, and soils. In 1946, the Shelton Cooperative Sustained Yield Unit was formed as a public-private partnership between the U.S. Forest Service and Simpson Logging Company, the only such unit that consisted of both private timberlands and national forest. And in 1949, the Grays Harbor Sustained Yield Unit was established, stipulating that all logs harvested on the Quinault Ranger District (now the Pacific Ranger District – South) must be processed in Grays Harbor County.<sup>4</sup>

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<sup>2</sup> Olympic National Park website: [www.nps.gov/olym/](http://www.nps.gov/olym/).

<sup>3</sup> Unless otherwise noted, all information about the Olympic National Forest is drawn from the Olympic National Forest website: <http://www.fs.fed.us/r6/olympic/>.

<sup>4</sup> In 1981-1985, the restriction was gradually relaxed to 50% of the logs harvested.

In recent years, some have questioned the sustained yield units—the Grays Harbor unit for potentially inequitable effects on surrounding counties,<sup>5</sup> and the Shelton unit for what had become an unsustainable and often ecologically damaging harvest.

Since the 1980s, timber harvests on state and private lands on the peninsula have fluctuated, declining more in some counties than others. Harvests on national forest lands have dropped precipitously. Prior to 1990, harvests on the Olympic National Forest averaged more than 250 million board feet annually; today, the timber harvest ranges from 0–20 million board feet annually.<sup>6</sup> Table 1 shows the private, state, and national forest timber harvests in Olympic Peninsula counties from 1986 to 2001.

Beginning in the 1970s and 1980s, national recessions, changes in the export markets for forest

products, competition from mills in the South and imports from Canada, corporate buyouts and consolidations, and increased mechanization coalesced to bring decline to the timber industry, pushing large companies to look for profits elsewhere, and forcing smaller, family owned companies out of business. Timber harvests on the Olympic National Forest declined with the setting aside of reserve and wilderness areas, reduced availability of big timber due to prior harvesting practices, the stipulations of the Olympic National Forest Plan and the Northwest Forest Plan, and state and federal legislation regarding clean water and endangered species protection, including the Dwyer spotted owl injunction. Reduced access to timber on state and federal lands contributed further to an already declining and increasingly concentrated timber industry.

**Table 1. 1986–2001 Timber harvests by ownership & county** (thousand board feet, Scribner rule)

	<b>Clallam</b>	<b>Grays Harbor</b>	<b>Jefferson</b>	<b>Mason</b>
<b>Private</b>				
1986	199,985	577,256	194,883	212,427
1990	237,287	534,107	58,904	277,468
1995	192,692	515,705	61,283	186,746
2001	191,852	402,070	50,420	131,504
<b>State</b>				
1986	105,090	45,447	313,348	6,921
1990	67,309	34,528	121,147	15,150
1995	48,252	45,612	17,457	5,041
2001	34,937	25,501	11,422	12,623
<b>National Forest</b>				
1986	140,253	38,846	43,935	24,311
1990	52,303	19,012	27,924	3,600
1995	1,960	2,662	1,709	4,098
2001	771	399	0	237

Source: Washington State Department of Natural Resources, annual timber harvest reports

<sup>5</sup> Schallau, Con H and Wilbur R. Maki. 1986. Are Federal Sustained Yield Units Equitable? A Case Study of the Grays Harbor Unit. Research Paper PNW-369. Portland, OR: US Department of Agriculture, Forest Service, Pacific Northwest Research Station.

<sup>6</sup> Olympic National Forest website: [www.fs.fed.us/r6/olympic/about/](http://www.fs.fed.us/r6/olympic/about/).

By the mid-1970s, market downturns had pushed Simpson to close its Shelton insulating board plant and a plywood plant. By 1986, Simpson had stopped its mountain logging operation, shut down remaining logging camps, and closed its large log sawmill in Shelton, laying off 600 workers. In 2002, Simpson terminated the Shelton Sustained Yield agreement, citing changing federal land management values, although others argue that by the mid-1980s—and prior to the Dwyer spotted owl injunction—the amount of available wood on the forest unit had diminished dramatically.<sup>7</sup> Rayonier, one of the largest private landowners on the peninsula, which had closed its rayon pulp mill in Shelton in 1968, eventually closed its research lab in Shelton in 1995, forcing a cadre of the peninsula's highly educated to relocate. This matrix of pressures affected not only the large employers on the peninsula, but forced many small and medium sized-businesses associated with timber harvests, wood product processing, and transport out of business.<sup>8</sup> International trade agreements played a role as well—the North American Free Trade Agreement (NAFTA) precipitated closure of nine mills in the Forks/Beaver area between 1991 and 1997.<sup>9</sup>

The declines in timber harvests have rendered the counties of the Olympic Peninsula vulnerable to significant economic decline and the loss of family-wage jobs. In 2003, Washington's Employment Security Department identified Clallam, Grays Harbor, and Mason Counties as three of 19 “distressed” counties in Washington, based on average unemployment rates that are 120% of the statewide rate. While not listed as “distressed,” Jefferson County shows unemployment rates and median household incomes significantly below the statewide average. With relative geographic isolation, high unemployment rates, and among the highest forest dependency rates in the state, a U.S. Forest

Service study argues that Olympic Peninsula counties are particularly vulnerable to land management decisions, but nevertheless show solid “socioeconomic resiliency”—or capacity to adapt to changing conditions.<sup>10</sup>

While the eastern side of the peninsula has fared better with greater economic diversity, tourism, and in-migration of people and wealth from the Seattle area, the western side has been especially affected by socioeconomic downturn since the early 1990s.<sup>11</sup> The “Westside” has smaller population centers (with the exception of Aberdeen), is more geographically isolated, and its economies are much more dependent upon forestry and fisheries. Seasonal unemployment and poverty rates are high on the lands of the Quileute Tribe, the Makah Tribe, and the Quinault Indian Nation. There is a growing population of immigrant Latino workers in natural resources who are largely isolated from civic participation. Interviewees report that there seems to be less political capital, civic engagement, and volunteerism on the Westside, with the effect that there are fewer community groups at the table in natural resource planning and project development. Portions of Grays Harbor County appear to be an exception, given its proximity to Olympia, Aberdeen's port, and tourism in its coastal communities.

Despite significant socioeconomic challenges in the region, the successes of the Olympic Peninsula RAC process and the Title III county programs build on civic capacity and a culture of collaboration that has been developing on both sides of the peninsula since the early 1990s. For example, for over 20 years, the Dungeness River Management Team—composed of representatives from city and county governments, the Jamestown S'Klallam Tribe, property owners, user groups, local conservation groups, state departments of ecology and fish and wildlife, and the U.S. Forest Service—has

<sup>7</sup> For example, see the Summer 2003 issue of Forest Magazine, the newsletter of the Forest Service Employees for Environmental Ethics.

<sup>8</sup> Kusel et al. 2002. Assessment of the Northwest Economic Adjustment Initiative. Taylorsville, CA: Sierra Institute for Community and Environment.

<sup>9</sup> North American Integration and Development Center at the University of California, Los Angeles. Cited in Kusel et al., 2002.

<sup>10</sup> Daniels, Jean M. 2004. Assessing Socioeconomic Resiliency in Washington Counties. General Technical Report PNW-GTR-607. Portland, OR: US Department of Agriculture, Forest Service, Pacific Northwest Research Station.

<sup>11</sup> Olympic Natural Resources Center, University of Washington.

been collaboratively working to identify community-wide watershed needs, develop watershed management plans, and implement projects.<sup>12</sup> Non-profit organizations are working with Latino floral greens harvesters and natural resource workers in Shelton, Belfair, Aberdeen, and Forks to build community capacity to participate in civic and natural resource decision-making processes, and to help them learn how to monitor their own harvesting practices.<sup>13</sup> The Northwest Indian Fisheries Commission coordinates collaboration among state and

tribal fisheries managers. Finally, the peninsula has a strong history of committees to advise federal resource management agencies on land management, research, and public education. These include the National Oceanic and Atmospheric Administration's Olympic Coast Sanctuary Advisory Council and the Olympic Province Advisory Committee (OPAC), which advises the Olympic National Forest on Northwest Forest Plan implementation.<sup>14</sup> Three current or former members of the Olympic Peninsula RAC serve on the OPAC.

## County Elections for Titles II and III

The Olympic Peninsula counties receive significant payments from P.L.106-393. While the payments are modest in comparison to what some counties in Oregon receive, they provide critical funds for maintaining roads, keeping school budgets afloat, and accomplishing projects. Table 2 shows how counties associated with the Olympic Peninsula RAC elect to allocate Title I, Title II, and Title III funds. While P.L.106-393 requires that counties allocate a minimum of 15% of their total payments to Titles II and III, the Olympic Peninsula counties allocate 20% of their total payments, the maximum allowed, to Titles II and III.

At the time of charter for Titles II and III, Washington counties received an orientation by Karl Denison, the USFS Legislative Liaison for Washington State, and Tom Robinson of the Washington State Association of Counties (WSAC). The purpose of the trainings was to help county officials understand the intent and obligations of the legislation and how Title III allocations interact with federal Payment In-Lieu of Taxes (PILT) payments. In Washington State, counties receive three major sources of governmental funds in

forestry: Washington State DNR trust funds, PILT payments, and P.L.106-393 funds. WSAC created an interactive website to enable counties to simulate what their PILT payments would be with different Title III allocation scenarios to assist in sound decision-making. In addition, the trainings highlighted that legislators intended that the funds accomplish projects that (1) improve federal lands, and (2) were chosen through citizen involvement; there was significant interest in seeing funds allocated to Title II, while allowing counties as much autonomy as possible. The counties on the Olympic Peninsula have chosen to allocate anywhere from 92.5% to 50% of their Title II and III eligible funds to Title II, demonstrating significant commitment to the RAC process and the types of projects the RAC can fund through Title II.

Counties receiving less than \$100,000 are not required by law to allocate dollars for Title II and Title III. Thurston County receives only about \$4,000 and does not contain federal forestlands apart from Olympic National Forest headquarters; thus, it retains all of its funds for Title I.

Interestingly, county officials make their final elections for Titles II and III after the RAC

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<sup>12</sup> Dungeness River Management Team webpage: [www.olympus.net/community/dungenesswc/](http://www.olympus.net/community/dungenesswc/)

<sup>13</sup> These include the Sierra Institute, the Jefferson Center, Mason County Literacy, CIDERS, and the Northwest Researchers and Harvesters Association. Some of this work has been accomplished with support from the USDA Fund for Rural America and the U.S. Forest Service Region 6.

<sup>14</sup> Regional Ecosystem Office website: [www.reo.gov/general/aboutPAC.htm](http://www.reo.gov/general/aboutPAC.htm).

**Table 2. Receipts, Elections, and Allocations for P.L.106-393, 2002-2005**

County	Year	Full PL-106-393 Payment	Title II/ Title III split (percent)	Amount Allocated for Title II	Amount Allocated for Title III
<b>Clallam</b>	2002	\$2,341,246	50/50	\$234,125	\$234,125
	2003	\$2,359,976	50/50	\$235,998	\$235,998
	2004	\$2,388,295	50/50	\$238,830	\$238,830
	2005	\$2,419,343	50/50	\$241,934	\$241,934
<b>Grays Harbor</b>	2002	\$689,954	70/30	\$96,594	\$41,397
	2003	\$695,474	92.5/7.5	\$128,663	\$10,432
	2004	\$703,820	92.5/7.5	\$130,207	\$10,557
	2005	\$712,969	90/10	\$131,899	\$10,695
<b>Jefferson</b>	2002	\$3,157,724	70/30	\$442,081	\$189,463
	2003	\$3,182,985	70/30	\$445,618	\$190,979
	2004	\$3,221,181	70/30	\$450,965	\$193,271
	2005	\$3,263,057	70/30	\$456,828	\$195,783
<b>Mason</b>	2002	\$742,732	50/50	\$74,273	\$74,273
	2003	\$748,673	50/50	\$74,867	\$74,867
	2004	\$757,658	50/50	\$75,766	\$75,766
	2005	\$767,507	50/50	\$76,751	\$76,751
<b>Thurston</b>	2002	\$3,850	0	0	0
	2003	\$3,880	0	0	0
	2004	\$3,927	0	0	0
	2005	\$3,978	0	0	0
<b>TOTAL</b>		\$28,168,229		\$3,535,399	\$2,095,121

Source: USFS Payments to States website

has recommended projects for that federal fiscal year. While the RAC has preliminary allocation figures to work with, the counties retain final judgment on whether the slate of projects the RAC recommends will receive the full Title II allocation.

This appears to reflect not only a philosophical orientation to maintain county control of funds, but also the fact that the counties are dealing with three different fiscal year calendars: federal, state, and county.

## **Title III Projects**

Title III projects funded by Clallam, Grays Harbor, Jefferson, and Mason Counties are discussed in this section. As of June 2005, Olympic Peninsula counties had allocated a total of 32 Title III grants totaling nearly one and a half million dollars. At the time of writing, 2005 project allocations had yet to be finalized. Mason and Grays Harbor Counties receive significantly smaller Title III payments than the other two counties, and tend to allocate their entire annual allocation to one project. Clallam and Jefferson Counties receive much larger payments and parse them out to a diversity of grantees and county departments. Clallam and Jefferson Counties have not allocated their full payments for 2002 through 2004, reserving approximately \$131,000 and \$76,000, respectively, to carry over into 2005.

### **Project Solicitation, Prioritization, and Selection**

In Olympic Peninsula counties, the process for soliciting projects and allocating Title III dollars varies, with some counties making an open call for project proposals and others making decisions through commissioner allocations to programs in the county.

In Clallam County, the Title III program is publicly advertised each year, inviting written proposals. The county administrator reviews project proposals and writes a memo of recommended project allocations to the county commissioners. Project proponents make presentations to the board at a public meeting. Then the board of commissioners makes project allocation decisions.

In the other Olympic Peninsula counties, there is no public call for proposals. Projects and allocations are decided internally as part of the counties' normal budget allocation process. In Mason County,

the 4-H Youth Forestry Education Program submits a project proposal based on a county template, but, to date, it has been the only program to apply. In Jefferson County, all Title III dollars are allocated to projects within county departments. Department heads submit their annual budget requests and, if requesting Title III funds, provide brief project descriptions in the budget narrative, as well as the amount requested as a budget line item. In Grays Harbor County, where county commissioners have elected to allocate more to Title II, leaving a limited amount of Title III dollars, the board makes an administrative allocation based on their knowledge of needs and programs within the county. There is no formal application process for projects. In all counties, there is a public budget hearing and decisions undergo a 45-day public comment period.

Consistent with the requirements of the legislation, the Olympic Peninsula counties have published a list of proposed expenditures within the appropriate time frame and have notified the RAC, but some of the counties have blurred the distinction between a budget allocation and a project as a discrete activity or event with a competitive proposal that includes stated purposes, objectives, and actions associated with a budget. With the exception of Clallam County, the Olympic Peninsula counties do not broadly solicit project proposals for Title III funds. Project solicitation is delineated from internal allocations in that solicitation involves a request for proposals, in effect opening access, while the latter involves internal county decision-making that is not open to others. As such, project notification involves a statement of already determined plans. This comes at the expense of developing discrete projects, and providing an open and transparent

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process involving parties beyond county administrative units, as was intended by the legislation.

### Approved Projects

With their Title III payments, Olympic Peninsula counties have supported a diversity of worthy projects and programs that demonstrate collaboration and leverage significant monetary and in-kind contributions. Ascertaining the

number of discrete Title III projects funded by Olympic Peninsula counties proved challenging, because for some counties it was unclear which allocations to county departments were tied to a particular project proposal. However, for the most part, projects and allocations appear to fall within the categories of activities consistent with the legislation. Table 3 provides an estimate of the types of grants by county.

**Table 3. Title III Grants 2002-2004 by Category, County, and Amount.**

Type of Project	Number of Grants*	Clallam	Grays Harbor	Jefferson	Mason	Total Amount
Search & Rescue	1			\$328		\$328
Community Service Work Camps	3	\$206,390				\$206,390
Conservation easements and acquisitions	5	\$75,000		\$109,046		\$184,046
Forest Education	14	\$106,441	\$20,989	\$185,000	\$224,906	\$537,336
Fire Prevention and County Planning	4	\$94,800		\$21,687		\$116,487
Community Forestry	0					\$0
Other: Emergency generator	1		\$41,397			\$41,397
Flood control	1			\$171,830		\$171,830
Trail development	2	\$80,000				\$80,000
Recreational law enforcement	1	\$10,000				\$10,000
Project carryover funds	NA	\$4,979		\$9,672		\$14,651
<b>Total</b>	<b>32</b>	<b>\$577,610</b>	<b>\$62,386</b>	<b>\$497,563</b>	<b>\$224,906</b>	<b>\$1,362,465</b>

\*Some programs have received multiple one-year grants.

Clearly, forest education is a high priority for all of the Olympic Peninsula counties, with well over \$500,000, or just under 40% of all funds, dedicated to this category. Grants have been made to Washington State University (WSU) Cooperative Extension's 4-H forestry after school programs in Mason, Jefferson, and Clallam counties, as well as the Pacific Northwest Trail Association's SKY (Service Knowledge Youth) Project in Clallam County, and the Pacific Student Corps in Grays Harbor County.

The forest education programs serve diverse children and youth—from WSU's 4-H programs to the SKY employment project for at-risk youth—and offer a remarkable range of educational opportunities to help youth understand their communities' historical and current relationship to timber harvesting, as well as to gain skills for the future of natural resource management and community development. Two programs are highlighted below.

Mason County grants 100% of its Title III dollars to the WSU 4-H Youth Forestry Education program, totaling approximately \$75,000 per year. Since its inception in 2002, the program has reached over 3,500 Mason County children and youth with educational programs, training, and service learning projects on county and national forest lands. Programs range from forestry education with preschoolers at the Shelton Head Start, to after school programs in local schools and boys and girls clubs, to paid summer internships for local teens. Youth learned to use Geographic Positioning System tools to map historical logging camps and conducted oral history interviews with elders to understand the area's natural resource heritage. In the first two summers of Title III funding, youth participating in the 4-H Forestry Leadership Summer Program contributed over 4,000 hours of trail building, harvesting native grass seed, landscaping a Habitat for Humanity House, restoring wildlife habitat, inventorying native plants, and planting 2,500 trees after logging. In addition, youth gained experience working with local governments and advisory committees. One program graduate has earned his firefighting red-card and another is

exploring a career in wildlife biology. The program has also trained teachers to incorporate forestry into their curriculum. The program has gained momentum and recognition countywide, and a diversity of in-kind donations has expanded resources two to three-fold. Program leaders made clear, however, that Title III funding is the core of the program, and without it, they would cease to exist.

The 4-H forestry education program in Jefferson County provides after school programs for children and youth, with particular success in two of the county's most economically depressed areas, Quilcene and Brinnan. Not only does the 4-H program provide traditional hands-on forestry education, but includes technological and media components such as Geographic Information System Tools robotics, digital camera, web design, and video tools to build skills to participate in the future of forestry, ecotourism, and community development. Like the other forest education programs, the Jefferson County program leverages Title III dollars with substantial contributions of other funds and partnerships. The after school programs are complemented by the Quilcene Ranger Corps, supported in part by Title II funds to provide summer employment for 17 youth aged 13 to 15 to work on trails. Title II and Title III funds are leveraged synergistically to advance both programs.

The second category of Title III investment is community service work camps. Each year, Clallam County has granted funds totaling over \$200,000 to the sheriff's "forest chain gang" to do campground clean-up and repair, noxious weed and brush clearing, roadside maintenance, and work on the Olympic Discovery Trail.

The third category that Olympic Peninsula counties have funded is conservation easements and acquisitions. Clallam County granted three years of Title III funding to the North Olympic Land Trust to identify and purchase easements on important forested lands. In Jefferson County, conservation acquisitions have been closely linked to salmon restoration and flood control; the county has committed over \$280,000 in Title III funds for conservation acquisitions and flood control efforts



on the Quilcene and Dosewallips Rivers. Along the Dosewallips, the county contributed \$54,000 in Title III funds to a large multi-entity partnership totaling \$400,000 to clean up and acquire 75 acres of property to maintain the health of the river and estuary, where there are two Endangered Species Act listed fish species. Title III provided critical funds to leverage other dollars. Partners include the Salmon Recovery Fund Board, the Washington State Department of Ecology, the Port Gamble S'Klallam Tribe, Washington Trout, and Washington State Parks. Upon completion, Washington State Parks will hold the deed to the properties. County officials highlight that the estuary provides important spawning grounds for fish that use the Olympic National Forest upstream.

On the Quilcene River, Jefferson County used Title II and Title III dollars synergistically to address community and riparian health. The county allocated \$100,000 of its Title III funds to a large, multi-partner project that included conservation acquisitions along the Quilcene River. Quilcene is a town that has experienced severe economic downturn with the declines in timber harvest, and many of the properties in the floodplain, owned by lower income people, flood repeatedly. The multi-year process included the U.S. Forest Service, the local community flood board, and other agencies to develop and implement a plan to protect homes and properties, restore spawning and riparian habitat, and prevent and control flooding. Title II dollars (approximately \$30,000) were used to supplement other grants for the flood planning process. Title III dollars were used to supplement and leverage other grant sources for the purchase of properties on the north side of the river to allow for future restoration projects to return the river to a more natural flow. County officials comment that this project offers the Forest Service (through Title II and III dollars) the opportunity to give back to a community where the river has filled up with gravel due to runoff from logging roads that the agency has abandoned in the upper watershed. Officials also pointed out that this work would never have been accomplished without the Title III funds.

The fourth category of projects Olympic Peninsula counties have supported is fire prevention and county planning. Jefferson County made allocations totaling \$22,000 to its Fire Wise programs, aimed at educating homeowners on how to maintain their properties to prevent fires. Clallam County allocated approximately \$15,000 toward the portion of its Comprehensive Plan Update relevant to forestland and the wildland/urban interface. In addition, Clallam County granted \$80,000 over two years to a project proposed by a local fire district to purchase a backcountry fire fighting vehicle and train a crew in wildland fire fighting. The crew and equipment will be used across the county, including, but not exclusive to, national forestland. It is useful to note that counties across the nation have struggled with the question of using Title III dollars for equipment and vehicle purchases and have come to differing interpretations of the legislation. In the absence of clear guidelines, the Washington State Association of Counties has cautioned counties to pro-rate Title III expenditures on these items based on how much of the time the vehicle or equipment is actually used to benefit national forest resources. Identifying the percentage of use dedicated to fighting fires that are on or are likely to impact national forest resources is one way that Clallam County can justify using Title III funds for a portion of a vehicle purchase and thereby improve overall program accountability.

The fifth category of grants is search and rescue. Jefferson County allocated \$10,000 for search and rescue on national forest lands. Because these funds are set aside and only billed out as needed, \$9,700 is listed in Table 3 as project carryover funds.

The remaining Title III expenditures were for single projects or allocations. With its first year of Title III funding, Grays Harbor County allocated \$41,000 to purchase an emergency generator to be housed at the local school in Lake Quinalt in the event of a power outage from weather events or other disasters. While the generator purchase meets an emergency services need for a community that is surrounded by national forest, it blurs the line on the requirement that Title III funds be used for emergency services performed on or affecting

federal lands. Clallam County granted \$10,000 to a joint project between the sheriff's department and the Washington Department of Fish and Wildlife to employ a deputy and wildlife officer to enforce regulations related to forest recreation and to assist with search and rescue. And Clallam County granted \$80,000 to a project to develop the western forestland portion of the Olympic Crest Trail.

In sum, Title III grants and county allocations on the Olympic Peninsula have supported diverse work across the legislative categories, and several also contribute to accomplishing Title II ends. Several grants demonstrate productive, collaborative partnerships and leverage funds and in-kind goods and services, multiplying the scope and potential outcomes. This is particularly true of several forest education projects. Jefferson County has effectively leveraged grant sources and partnerships to magnify effects on the land and for multiple stakeholders, such as the flood control and conservation acquisitions along the Quilcene and Dosewallips Rivers. Two Title III allocations in Jefferson County dovetail with Title II projects—the Quilcene River project mentioned above, and the WSU forestry education program which draws on the provisions of both Title II and Title III funds to provide a well-rounded program of afterschool programs and youth employment in forestry and forest conservation.

Clallam County is the only county that has funded a number of project proposals put forward

by outside organizations such as the local land trust, the Pacific Northwest Trail Association, and local fire districts. This is due to the fact that Clallam County allocates the largest amount to Title III and because it has a formal and open public project application process.

In interviews, officials and project leaders from all counties highlighted that the Title III funds helped them to complete work they otherwise would have been challenged or unable to accomplish, particularly given losses to their budgets such as those that followed the repeal of the state car tax. Most like the openness and flexibility of the legislation, even though it sometimes poses challenges for interpreting intent and limitations. For example, Jefferson County officials expressed interest in how other counties have interpreted the legislation regarding conservation easements and whether this allows for actual property acquisition for conservation. And while Clallam County officials felt it was within the legislative intent to purchase a vehicle for wildland fire fighting, staff from other programs such as the weed boards and the forest education programs felt that the legislation did not allow them to purchase a program vehicle. County officials noted that the training they received from USFS legislative liaison Karl Denison and Tom Robinson of the Washington State Association of Counties provided them with the information they needed to make decisions consistent with the intent of the legislation.

## **Title II Projects**

The Olympic Peninsula Resource Advisory Committee was consolidated from two RACs administered by the Olympic National Forest: the Grays Harbor RAC and the Olympic Peninsula RAC. The two RACs were consolidated in late 2004 after there were not enough applicants to re-charter a Grays Harbor RAC. Projects from the two RACs are presented together to give an overall picture of Title II projects associated with the Olympic National Forest. During federal fiscal years 2002-2005, the Olympic Peninsula RAC (including the Grays Harbor RAC) allocated approximately \$3,503,400

to support 84 projects. An additional \$3,584,000 was leveraged from Forest Service funds and other sources to complete project work on the ground.

The total of the approved projects largely matches the Title II allocations for each county, as shown in Table 4. This is not surprising, given that allocations are essentially decided in county caucuses before being approved by the entire RAC. Some RAC grants support projects that extend beyond one year, but proponents must re-apply each year for funding. Thus, each grant is presented below as a project.

**Table 4. RAC Projects and expenditures approved by county, Fiscal Years 2002 - 2005**

County	Number of projects supported	Total funds allocated for projects in county	County Title II election
Jefferson	34	\$1,778,262	\$1,795,492
Clallam	28	\$940,548	\$950,887
Grays Harbor	16	\$486,126	\$487,363
Mason	6	\$298,519	\$301,657

The legislation stipulates that 50% of Title II dollars should be allocated to restoration of streams and watersheds, or road maintenance, decommissioning, or obliteration (Section 204(f)). The Olympic Peninsula RAC meets this objective. It has devoted well over \$3 million dollars, or 86% of its funds, to roads and projects that benefit fish and watersheds, including sediment reduction, fish passage, habitat, and watershed restoration.

Those interviewed are proud that the Olympic Peninsula RAC has supported what they feel is a balanced slate of projects that meet the legislative intent. When asked about outcomes, they agree that Title II puts funds back on the national forest, enabling it to accomplish its mission and work that otherwise would not be done, and that the RAC process encourages cooperative relationships among the federal agency, counties, and citizens involved.

### **Project Solicitation, Review, and Selection**

The Olympic Peninsula RAC relies primarily on the Forest Service and county commissioners to get the word out to solicit project proposals. Generally, the agency solicits project proposals through an annual news release to local newspapers, the Olympic National Forest website, a letter to previous project proponents and usual forest contacts such as tribes, watershed councils, and state natural

resource agencies, as well as informal contacts by forest personnel, RAC members, and county commissioners. Given delays in the initial release of funding, in 2002, each RAC was charged with allocating funds for both fiscal years 2002 and 2003.

Overall, the Olympic National Forest has led the way in developing project proposals for the RAC's consideration. The forest invests a tremendous amount of resources into project development so that the projects the forest proposes to the RAC have already gone through a variety of planning screens, including the National Environmental Protection Act, and are "in lock-step" with forest management plans. Thirty-eight of the 84 projects supported by the RAC were developed by staff on the Olympic National Forest, and an additional 17 projects were co-sponsored by the forest in partnership with county governments or other groups.<sup>15</sup> Several projects proposed by the Forest Service included participation by other groups, such as the Washington Conservation Corps or the Quilcene Ranger Corps. Counties, the state, tribes, and other organizations outside of the national forest have received 29 RAC grants. Table 5 summarizes the number of projects and dollar amount awarded by type of proponent.

Forest Service personnel indicate that most of the proposals from outside groups have come from

<sup>15</sup> A couple of projects listed on Forest Service spreadsheets as joint projects are categorized here as agency projects (e.g., the Big Quilcene/Dosewallips Road Sediment Reduction projects). In interviews, county officials identified them as Forest Service projects, perhaps since the additional project funds came from Forest Service sources.

**Table 5. RAC funded projects by proponent, Fiscal years 2002-2005**

Year	USFS # of Projects	USFS Amount	USFS-Other # of Projects	USFS-Other Amount	Other # of Projects	Other Amount	TOTAL
<b>2002</b>	8	\$581,517	6	\$153,573	4	\$111,981	18 projects
<b>2003</b>	8	\$532,238	5	\$158,533	7	\$189,398	20 projects
<b>2004</b>	6	\$354,773	3	\$97,000	9	\$355,342	18 projects
<b>2005</b>	16	\$480,234	3	\$106,614	9	\$382,252	28 projects
<b>Total</b>	38	\$1,948,762	17	\$515,720	29	\$1,038,973	84 projects \$3,503,455

groups that already have experience with government programs and processes such as watershed councils, state timber plans, county noxious weed boards, and state or county youth programs. Thus far, there have been no proposals from grassroots or community groups who would be considered “outsiders” to government processes.

The author observed the June 2005 meeting at which the Olympic Peninsula RAC voted on its project recommendations for fiscal year 2006. Interviews and RAC minutes indicate that the project review, prioritization, and selection process has been similar in recent years. Six weeks prior to the meeting, RAC members are mailed a packet including a copy of the agenda, by-laws, and all project proposals, color-coded by county. Included in the packet for FY 2006 decisions was a letter from the forest supervisor indicating that two of the proposed projects might not meet the intent of the legislation.

At the beginning of each RAC meeting, the county commissioners report briefly on their respective county’s allocations of Title III funds for the previous year. Then Bill Shelmerdine, Title II project coordinator for the Olympic National Forest, presents on progress and outcomes of Forest Service

projects previously supported by the RAC. Then, he presents the projects that the Forest Service proposes for the upcoming fiscal year. For the 2005 meeting, RAC members asked the Forest Service to prioritize their proposed projects, so Mr. Shelmerdine shared a spreadsheet indicating projects in order of priority. To help them in apportioning limited Title II dollars, RAC members also asked if certain projects could be accomplished on the forest through other funding sources.

Following Forest Service presentations, project proponents from the counties and non-profit organizations give brief presentations on their proposed projects. If the group has been previously funded by the RAC, they also present on outcomes to date. For the Olympic Peninsula RAC, this is the sole reporting on progress and outcomes of previously funded projects. During presentations, RAC members ask questions or make comments.

Then the Olympic Peninsula RAC breaks into caucuses by county to discuss and develop project recommendations based on the dollar amount allocated to that county.<sup>16</sup> Each caucus makes recommendations for only those projects that will be accomplished in their county, though they may

<sup>16</sup> For its fiscal year 2002 and 2003 allocations, the RAC as a whole discussed and decided on projects, but did not have a clear process in place to facilitate efficient ranking or prioritizing of projects. At the May 2003 meeting to select FY 2004 projects, the RAC chair suggested county caucuses to enable efficient decision-making, and since then, this has been the project selection process.

choose to support the rare project that extends into more than one county. Thurston County representatives may choose to join a county discussion or try to float between caucuses. Toward the end of the meeting, RAC members gather and each county group presents their slate of recommended projects and funding levels. Finally, the RAC votes by voice; the vote is not by individual project, but on the entire slate of projects.

### **Approved Projects**

As of June 2005, the Olympic Peninsula RAC (including projects supported by the Grays Harbor RAC) had supported 84 projects over four rounds of funding, and recommended an additional slate of projects for FY 2006. At the time of writing, FY 2006 projects had yet to be approved by the U.S. Forest Service Washington Office.

The projects the Olympic Peninsula RAC and the former Grays Harbor RAC have supported are categorized according to their primary purpose and funding levels and presented in Table 6. The information comes primarily from a spreadsheet prepared by Bill Shelmerdine, of the Olympic National Forest. Many of the projects the Olympic Peninsula RAC has supported serve more than one forest function. For example, many roads projects maintain safe passage for drivers, while improving fish passage or reducing sediment to streams; some of the trails projects improve recreation access while also improving watershed health; a conifer release project may be classified as a forest health project, but in a riparian area, the ultimate goal may be watershed improvement. In interviews and site visits with project leads, the primary purpose of the project was estimated and projects were categorized accordingly; thus, categorization here may vary slightly from that provided by the Forest Service. Project types are discussed by category, and key projects are highlighted.

It is not possible at this time to provide a complete and accurate summary of Title II project accomplishments to date, such as number of acres treated or culverts replaced. This is due to (1) diversity of projects with different types

and measures of outcomes, (2) no requirement for project completion reports, (3) inconsistent tracking and lack of compilation of outcomes from different types of contracts and agreements, and (4) the length of time required to bring a project from RAC approval to project completion. Some roads and watershed projects selected as early as FY 2003 have yet to be completed. Project completion can be delayed by a number of factors, including unforeseen complexities of design and weather, short windows for project completion due to water flows and seasonal wildlife habitat restrictions, and the administrative time needed to award contracts and disperse funds. Given these limitations, project accomplishments are highlighted below.

### *Roads and Trails*

The Olympic Peninsula RAC spends nearly 60% of its funds on grants to maintain roads. With over a century of timber harvesting and two Sustained Yield Units on the forest, the Olympic National Forest has an extensive road system totaling over 2,100 miles. The forest's road budget is historically tied to timber sales, and, with the decline from over 250 million board feet harvested annually prior to the spotted owl provisions and the Northwest Forest Plan, to zero to 20 million board feet today, the forest is currently working with 20% of the funds identified as needed to maintain its road system. Most of the roads on the forest were built by logging companies with a focus on expedient and cost-effective log removal, rather than long-range functionality and ecosystem health. Title II dollars allow the forest and counties to do roads projects, particularly decommissioning and restoration, both of which are inadequately funded through existing budget appropriations.

On the Olympic Peninsula, roads maintenance cannot be separated from watershed health and fish habitat. While some roads projects primarily focus on maintaining passage for vehicles, with so many road miles to maintain and 13 key watersheds, the roads system on the Olympic National Forest is tightly linked with riparian habitat for salmon and other anadromous fish. The RAC is a venue

**Table 6. Approved Olympic Peninsula (OP) and Grays Harbor (GH) RAC projects, Fiscal years 2002-2005**

<b>Project Category</b>	<b>Type of Project (sub-category)</b>	<b>No. of Projects OP RAC</b>	<b>Amount OP RAC</b>	<b>No. of Projects GH RAC</b>	<b>Amount GH RAC</b>	<b>TOTAL</b>
<b>Roads, trails &amp; infrastructure maintenance</b>		22	\$1,802,715	8	\$273,893	\$2,076,608
	Road maintenance & road culverts	9	\$963,115	3	\$141,893	
	Fish passage culverts, LWD, washouts	5	\$211,500	4	\$107,000	
	Sediment reduction	5	\$409,446	0	\$0	
	Decommissioning	3	\$218,654	1	\$25,000	
<b>Watershed restoration &amp; maintenance</b>		17	\$517,075	1	\$41,500	\$558,575
	General restoration	6	\$89,200	1	\$0	
	Fish habitat restoration	8	\$396,806	1	\$41,500	
	Stream monitoring	3	\$31,069	0	\$0	
<b>Wildlife &amp; fish habitat</b>		4	\$79,800	0	\$0	\$79,800
<b>Noxious &amp; exotic weed control</b>		9	\$283,724	4	\$118,333	\$402,057
<b>Re-establishment of native species</b>		0	\$0	0	\$0	\$0
<b>Recreational infrastructure</b>		14	\$328,015	1	\$15,400	\$343,415
	Trail maintenance	13	\$325,015	1	\$15,400	\$340,415
	Facilities	1	\$3,000	0	\$0	
<b>Soil productivity improvement</b>		0	\$0	0	\$0	\$0
<b>Forest ecosystem health</b>		0	0	1	\$30,000	\$30,000
<b>Other</b>	Forest Education	2	\$6,000	1	\$7,000	\$13,000
<b>TOTAL</b>		<b>68</b>	<b>\$3,017,329</b>	<b>16</b>	<b>\$486,126</b>	<b>\$3,503,455</b>

through which the Forest Service, as well as state and county agencies, is able to educate citizens on the connections between roads and watersheds and habitat, and gain their support for roads projects that restore fish passage and manage sediment loads in riparian areas. In a number of its roads and watershed projects, the Olympic Peninsula RAC has leveraged other federal funding sources toward the Northwest goal of restoring salmon habitat.

The RAC has supported 12 projects focused primarily on maintaining safe passage for vehicles. Most involve washout repairs or replacing deteriorating culverts that can cause road failure. Another group of culvert replacement projects prevent road failure but also provide restoration and habitat benefits, enabling salmon and other fish to pass through. A number of the old culverts are rusting out, are too small to ensure needed flows of water or handle flood flows, and have large drop-offs from the culvert to the stream bed below, making it impossible for fish to make it back upstream to spawn. One project of note was the culvert replacement on the FS 3000 Road on the Pacific Ranger District-North. A RAC grant of \$21,500 paid for the survey and design, and the Forest Service contributed another \$119,000 for project implementation. A three-foot pipe was replaced with an arch culvert that spans the entire width of the stream channel, restoring a natural streambed and flow. Field reconnaissance showed Coho salmon fry swimming in the stream above the culvert, indicating that adult Coho had indeed returned upstream and spawned.

The FS 3000 Road project exemplifies a strategic approach the forest and the RAC have taken toward large-scale projects. They encourage project proponents to break down projects into steps that can be supported incrementally, enabling the project to progress while other funds are sought for the next steps. Survey and design can be difficult to fund with appropriated dollars. When the RAC supports this phase of a project, the Forest Service or county is frequently able to secure funds from other sources for project implementation in its entirety, or as a match to a second RAC

grant. This approach enables the RAC to leverage funds, addressing more needs on the forest and surrounding lands.

The Olympic Peninsula RAC has supported nine road maintenance projects focused on improving fish passage and habitat through culvert replacements, repairing streamside road washouts and using large woody debris (LWD) and log jams instead of riprapping to improve hydraulic control and stabilize banks. An additional four projects focus on reducing sediment flows in streams.

Finally, four projects involve decommissioning roads, three with the Forest Service in the lead, and one led by the Quinault Indian Nation. Forest Service personnel report that, in general, it is very difficult to garner public support for closing or decommissioning roads unless they can make the argument that the road is going to fail if use continues, or its failure will affect roads and streams below it. Staff feel the crunch of an unfunded mandate to maintain the forest's many miles of roads in one of the wettest places in North America. These roads were initially created for logging access, but, over time, the public has become accustomed to using them for recreation and other purposes.

The Gold Creek project, developed by the Forest Service, involved a series of complementary projects that upgraded another road to arterial standard, removed a stream crossing (which was a fish passage barrier) and all cross drains (which generated landslides), decommissioned the Gold Creek Road to take it out of the riparian corridor, and converted a portion of the road to trail. The RAC supported three grants to accomplish this from planning through completion. The project was accomplished through a variety of arrangements including a bioengineering contract for planning with a Montana contractor, two contracts with a local contractor to remove the fish passage barrier (including bank stabilization and restoring natural stream flow) and decommission the road, and revegetation work by the Washington Conservation Corps.

The Gold Creek project is exemplary in accomplishing multiple goals and objectives of

the Secure Rural Schools and Community Self-Determination Act. The project provides for maintaining road passage and for decommissioning a failing road the agency could not afford to maintain. It provides a recreational trail and restores watershed and habitat health. It provided employment to local youth and a local contractor who hires a local, permanent crew. RAC funds for strategic phases of the project leveraged over \$300,000 in other funds that would otherwise not have been available (i.e., RAC funds paid for planning while capital improvement funds paid for road stabilization). If there is a criticism of the project it is that the largest contract (though not paid with RAC dollars)—for roads stabilization—went to an out of state contractor. Breaking the project into phases, however, allowed discrete project components to be developed so that small, local contracting firms could successfully bid on them.

Forest Service contracts like this, says local contractor Val Addleman of Addleman Construction, have “saved our company.” Addleman is a logging and construction company based in Port Angeles that keeps a year-round crew of 10 to 20 local workers. Like many small contracting firms, they have faced severe challenges to survive in the face of downturns in timber harvests on public lands. However, they have diversified their equipment and their skills to include decommissioning, culvert replacement, road restoration, stream crossing removal, and bank improvement/erosion control on public lands. With the help of dedicated Forest Service staff, they have learned how to bid on and complete federal contracts—which Addleman comments can be very intimidating for a small company—while addressing wildlife and habitat restrictions. She estimates that today, 30 to 50% of their work is with the Olympic National Forest, some of which is funded through RAC grants.

#### *Watershed Restoration and Maintenance*

The second largest category of projects the Olympic Peninsula RAC funds is watershed restoration and maintenance. The RAC has supported well over \$500,000 of restoration

projects. Some of these projects look very similar to some of the projects categorized under “roads.” They serve multiple purposes, including road maintenance, but the primary intent of the project is watershed health. For example, Jefferson County received two RAC grants totaling \$189,000, matched by \$6,100 of county funds, to replace a fish passage culvert on the Duckabush Road. The road leads directly into the Olympic National Forest and the culvert replacement will benefit juvenile salmon habitat. While the RAC grants were made in 2002 (as a roads maintenance project) and 2003 (as a watershed project), the project is not yet complete. Officials report that culvert replacement projects are slow, expensive projects for counties, because they have to keep the road open during construction and acquire right-of-way permission from property owners. The Jefferson County roads system currently has 80 fish passage barriers. Without Title II funds, the county would be unable to complete projects such as this.

The Olympic Peninsula RAC has supported several watershed restoration projects that engage community groups in in-stream work. Clallam County’s Streamkeepers, which has over 100 volunteers, has received three grants to involve volunteers in cooperative stream monitoring of seven streams on the Pacific Ranger District. The Hood Canal Salmon Enhancement Group has received three RAC grants totaling over \$200,000 to do watershed restoration projects that benefit fish habitat. These grants leveraged an additional \$327,060, including Forest Service funds.

Finally, the Olympic National Forest received four grants to employ youth crews through the Washington Conservation Corps (WCC) to work on a diversity of watershed restoration and maintenance projects, including willow planting, tree planting, soil restoration and erosion control, road obliteration, culvert access, and noxious weed control. A field visit to a WCC hillside restoration and erosion control project above Walters Creek showed a remarkable example of ingenuity, adaptive learning, and the strength of young laborers. The four-year project included



a major bioengineering design and adaptive learning effort by WCC staff Darryl Borden and the youth crew. On a hillside grade of up to 80%, the crew put in log terracing, removed noxious weeds, and planted over 20,000 native trees and shrubs. All four crewmembers grew up in timber towns in Grays Harbor County. They come from a diversity of socioeconomic and educational backgrounds ranging from recent high school or GED graduates to an ecology graduate of University of Washington. All wanted hands-on work experience, and expressed satisfaction in what they were learning and pride in the fruits of their labor. Through the WCC, youth crewmembers are Americorps volunteers, and, in addition to a stipend, they earn a scholarship for college or to pay off student loans.

#### *Wildlife and Fish Habitat*

The Olympic Peninsula RAC has supported four projects focused primarily on habitat improvement. These are distinguished from the watershed restoration projects listed above that have broader watershed health goals, but that also include wildlife and fish habitat benefits. In 2002, the Olympic National Forest received a \$7,100 RAC grant, leveraging an additional \$22,500, to prioritize the hundreds of fish passage culvert replacement needs on the forest. This has served as a strategic planning document for subsequent grant requests. Jefferson County has received three RAC grants totaling nearly \$73,000 and leveraged twice that amount to identify critical areas and develop and implement plans to connect wildlife habitat corridors between county and national forest lands. The county is working in cooperation with the Jefferson Land Trust and the Forest Service.

#### *Noxious Weeds and Native Species*

The Olympic Peninsula RAC has granted significant funds to each county's efforts to control exotic and invasive plants on the forest and gateway lands. Noxious weeds are reported to be the second leading cause of species threat

on national forests. By state law, the U.S. Forest Service is mandated to control invasives on its lands, but with an annual weed control budget of \$5,000, the Olympic National Forest is challenged to address the issue. Pat Grover, botanist on the forest, works with county weed programs and Washington Conservation Corps crews. The support of the Olympic Peninsula RAC has been critical in advancing the work of the Clallam County and Grays Harbor County weed boards, and reestablishing or building the staffing capacity of county weed boards in the other two counties. The Clallam County noxious weed program is a model program that other counties, state and federal agencies, and tribes look to for assistance. In fact, since learning from the Clallam County weed program, the Quileute Tribe has secured funds and is implementing weed control on its lands. Support for the weed program accomplishes work on the ground by buying four weeks of WCC youth crew time, working with the chain gang (funded through Clallam County Title III grant), and with their own crew. RAC grants have been used to inventory and map weeds along Forest Service roads, develop a plan for control, and send out crews to implement pulling and other control measures. Prior to receiving its first RAC grant in 2002, the Jefferson County Weed Board was largely unstaffed. Jefferson County partnered with Clallam County Weed Board staff Cathy Lucero to help Jefferson County establish part-time coordinating staff, and to share weed crews between the two counties. Ms. Lucero is helping to train weed crews for the recently established Mason County Weed Board. Since the advent of Title II dollars, all four counties on the peninsula now have active weed boards with staff to accomplish work on the ground.

The noxious weed grants the RAC has supported are models in meeting the intent of the Secure Rural Schools and Community Self-Determination Act. The RAC grants have helped counties launch work on the ground, supported regional collaboration between counties and state and federal agencies, leveraged multiple funding

sources, and fostered collaboration and synergies among multiple RAC-supported projects as well as Title III projects. Ultimately, RAC funds have enabled the Olympic National Forest to address noxious weeds to protect forest resources, work it would otherwise be unable to accomplish.

#### *Soil Productivity and Forest Ecosystem Health Improvements*

The Olympic Peninsula RAC has made one grant in this category for a pre-commercial timber harvest and elk habitat development project in Grays Harbor County. The Columbia Pacific Resource Conservation and Development Council and the Olympic National Forest jointly developed this grant. Forest Service personnel indicate that not as many vegetation management projects have been proposed and supported by the RAC as perhaps intended in P.L. 106-393. However, they highlight that there are a number of other mechanisms for accomplishing these goals, such as the Northwest Forest Plan requirements in Late Successional Reserves.

#### *Recreation Infrastructure*

The Olympic Peninsula RAC has dedicated considerable support to summer youth employment projects for trail construction and maintenance, including noxious weed control, as well as some restoration and habitat improvement work. Fourteen RAC grants totaling over \$340,000 have gone to the Quilcene Ranger Corps, the Pacific Northwest Trail Association's SKY (Service Knowledge Youth) Education program, and the Pacific Student Resource Corps. The Quilcene Ranger Corps is a summer internship program for youth aged 14-17, run through Washington State University's 4-H program. Youth interns work with the Hood Canal Ranger District and the Pacific Northwest Trails Association. The Pacific Northwest Trails Association also leads youth trails

crews with the SKY Education Program, which provides paid service-learning opportunities for at-risk and adjudicated youth in Jefferson and Clallam Counties. Pacific Student Resource Corps youth work on trails, weed control, and restoration projects on the Pacific Ranger District. The programs have been very successful in giving youth job readiness training; leveraging additional funds (\$28,710 from the Forest Service and \$260,791 from other sources); building collaboration across agencies, counties, and organizations; and accomplishing miles of trail work on the Olympic National Forest. Another small RAC grant (\$3,000) in this category funded environmental education interpretive displays at the Kloshe Nanitch Lookout.

#### *Other*

Finally, the Olympic Peninsula RAC is supporting a unique forest education project involving youth from Forks and Lake Quinalt High Schools to develop educational videos and PowerPoint presentations in Spanish. The education effort focuses on Latino workers who earn a significant portion of their livelihoods by harvesting floral greens and other special forest products. Grays Harbor, Clallam, and Jefferson Counties are contributing a total of \$13,000 of their Title II funds to this project, with the goals of educating harvesters on conserving forest resources, sustainable harvesting, and the boundaries of permissible harvesting areas (e.g., national forest vs. national park lands); raising awareness of the floral greens workforce; and increasing communication across cultures. Pacific District Ranger Eduardo Olmedo proposed the project in collaboration with the high schools. He has also consulted with the Quileute Tribe and Quinalt Indian Nation, who are interested in educating others about their treaty rights and cultural resources, including salal. The project may also include community workshops.

## **RAC Formation, Operation, and Relations**

This section focuses on the formation and operation of the Olympic Peninsula Resource Advisory Committee. Included is a discussion of the ways that the RAC process has cultivated relationships among local communities, interest groups, county governments, and the federal agency, and has built capacity for mutually beneficial collaboration. This section also explores the decision-making process the RAC employs and its implications for collaborative outcomes.

### **RAC Formation**

In 2001, the Olympic National Forest chartered two Resource Advisory Committees: (1) the Olympic Peninsula RAC comprised of members of Clallam, Jefferson, Mason, and Thurston Counties and (2) the Grays Harbor RAC. While the Forest Service encouraged one RAC for the forest, county commissioners in Grays Harbor County wanted to ensure local autonomy in allocating resources and wished to establish a separate RAC.

The current RAC functioned as two separate RACs for the first three years of implementation. Forest Service personnel describe the former Grays Harbor RAC as functional, but it struggled to have a quorum of members from each voting group at its meetings. At the time of re-charter, despite concerted outreach, only nine of the required 18 prospective RAC members applied for the Grays Harbor RAC. Forest Service personnel proposed to the county commissioners that the two RACs merge, and, in late 2004, the consolidated Olympic Peninsula Resource Advisory Committee was chartered.

The Olympic National Forest solicited prospective RAC applicants through press releases in local newspapers, on the forest website, through announcements to other collaborative groups such as the Olympic Province Advisory Committee, personal outreach, and through the recommendations of local county commissioners.

All Resource Advisory Committees are required to include representatives of interests in three major categories, or voting groups. The Olympic National Forest takes seriously the charge to fill each category of representation outlined in the legislation. While there are no grazing allotments nor wild horses and burros on the forest—two of the interest groups in the legislation—leadership has tried to look at the representational intent in a manner appropriate to the region. A member of the Washington State Backcountry Horsemen serves on the committee to address the animal stock interest. An archeologist served on the committee at the beginning, but that individual relocated and the agency has been unable to fill the slot since. Each voting group has a replacement member, should a member of the committee leave mid-term, though that replacement member may or may not represent the interest of the vacated position.

The forest prioritizes having a balanced representation from each county and a commissioner from each county serves on the committee; however, to ensure that Group C is not only comprised of elected officials to the loss of tribal or educational interests, some commissioners serve as representatives of other interest groups they are involved with, such as dispersed recreation. Two members of the committee were commissioners at the time of RAC formation, but were not reelected. They continue to serve on the committee in other categories, but in Mason County, a newly elected commissioner will apply to be on the committee and the current representative will likely step off to allow his participation.

While Thurston County has no national forestlands in its boundaries, and thus does not receive Title II or Title III funds, members of the county are represented on the RAC as users of forest resources and stakeholders in management activities on the forest. The Olympic National Forest is headquartered in Thurston County in Olympia.

## **RAC Operation**

The Olympic Peninsula RAC meets once per year to review project proposals and vote on funding recommendations. In addition, it meets for an orientation meeting at the beginning of each three-year charter.

In early 2002, the Forest Service held an orientation meeting for each of the originally chartered RACs to train members on the intent and limitations of the legislation and responsibilities of serving on a federal advisory committee, as well as to agree upon by-laws and elect a chair. The by-laws were drafted by Forest Service Public Relations Coordinator Ken Eldredge and presented to the RAC as subject to change according to RAC discretion and vote.

Voting on projects requires a quorum in each of the three voting groups. At the outset, both RACs wished to change their by-laws to allow replacements to act as alternates if a voting group lacks a quorum for any given meeting. Under direction of the Secretary of Agriculture, this is not permissible. A member has to leave or be removed from the committee in order for a replacement member to become a full voting member. Both RACs developed absentee voting procedures for excused absences when a voting quorum is not present. The Olympic Peninsula RAC added a provision for voting by teleconference. The Grays Harbor RAC chose to not formally add a by-law for absentee voting, but when this issue arose during its vote for 2003 projects, the group improvised and the chair called a member of the group lacking a quorum and asked for their vote the following day.

After the consolidated Olympic Peninsula RAC was chartered, a welcome and training meeting was held in May 2005 to orient the 50% of its members who were new to the RAC process, incorporate members of the Grays Harbor RAC, agree upon by-laws, and elect a chair. Clallam County Commissioner Mike Doherty was re-elected chair and Grays Harbor County Commissioner Al Carter was elected vice-chair.

At its annual meetings, the RAC is focused on efficiency in decision-making, balanced with trying to gather sufficient information from project proponents, Olympic National Forest personnel, and the counties to prioritize projects. The specific process the RAC uses to evaluate and make project recommendations is described in the previous section.

RAC members view their role as that of a grant committee designed to advise the forest supervisor on which projects to support with Title II funds. In general, interviewees feel that the Olympic Peninsula RAC functions efficiently and effectively, and has supported worthy projects that benefit the forest and local communities. Any disagreements at RAC meetings were generally related to whether projects met the intent of the legislation or were the highest priority given limited dollars. Overall, RAC members are proud of the work that they have accomplished, and pleased that there has been no significant contention to date.

However, observations of the 2005 RAC meeting, and comments by interviewees in this study indicate that the process the Olympic Peninsula RAC employs, while it makes for relatively efficient decision-making, limits the RAC's ability to discuss projects in detail and achieve its full potential as a collaborative and representative advisory body.

### *Limited Time*

The Olympic Peninsula RAC is challenged to develop shared priorities and to complete project selection in one six-hour meeting per year.<sup>17</sup> At the 2005 meeting, project presentations and questions extended significantly beyond the allotted time, leaving little time for discussion and decision-making. The meeting ran 1.5 hours past the planned adjournment. There was a palpable tension between expediency and having sufficient time to gather information and address questions. Some members focused on expediency and expressed frustration that other RAC members asked questions or made comments that "slowed down the process." However, in interviews with current and former RAC members

<sup>17</sup> The one-day meeting was initially agreed to by the RAC, and also reflects the lack of funds set aside for travel costs associated with a longer meeting.

and agency staff, several individuals commented that meeting one day per year was not enough time for meaningful discussion of projects and priorities, or to identify shared goals and develop collaborative relationships. The limited meeting time can create a disincentive to raise questions or to ask for discussion on challenging or unclear topics. For example, at the 2005 RAC meeting, the tribal representative repeatedly raised the issue of the importance of consulting with affected tribes when planning projects. While individual project proponents responded to the question when asked, there was no time for discussion on the intent and legal obligations of consultation relative to Title II and how the RAC might build consultation with the 13 tribes associated with the peninsula into its processes.<sup>18</sup> In addition, there was not time for the RAC to discuss a project that the Forest Service felt did not fit the intent of the legislation.

To date, the Olympic Peninsula RAC has not visited any projects in the field. During the 2005 meeting, the RAC chair indicated that although the option of field trips had been offered in the past and there had not been interest, they could consider doing field trips if members were interested. However, the limited time did not encourage discussion of whether RAC members would find field trips useful. RACs in other areas have scheduled field trips that have been well attended and useful tools to help members understand project goals and outcomes, evaluate the effectiveness of projects they have supported, and discuss issues of concern. Besides project-specific information, field trips can offer opportunities to discuss environmental and social issues relevant to the work, help develop shared priorities, and build a sense of group identity and ownership in the outcomes.

The limited time allotted for RAC gatherings places constraints on building cooperative relationships and collaborative decision-making processes, as intended by the legislation. The Olympic Penin-

sula RAC might consider (1) increasing the number and/or length of its meetings and, (2) scheduling trips to look at projects in the field.

### *County Caucus Process*

Decisions for project funding are essentially made during the county caucus process. At the 2005 meeting, after the county caucuses, each county read their recommendations to the RAC and, without discussion,<sup>19</sup> a vote was held on the entire slate of projects, rather than on individual projects.

Some RAC members like the county caucus process and expressed a number of benefits including: (1) it ensures that each county gets its full Title II allocation, (2) it allows members to make decisions on projects in the geographic areas they know best—they may not know the other areas of the peninsula well and do not feel they should question the recommendations of those who live there, and (3) it is an efficient way to make decisions.

However, the county caucuses truncate collaborative decision-making by a diverse, representative body of interests. Approving projects by county caucus is inconsistent with the spirit and intent of the legislation, which requires that the entire RAC, including three categories of groups and at least three members from each of the groups, vote on each project. A supermajority—or three votes from each subgroup—is required for project approval. In interviews, current and former RAC members and some Forest Service personnel raised a variety of concerns about the county caucus process. These included (1) lack of meaningful participation for those from Thurston County, (2) lack of representation of each intended interest group in the decision-making process, (3) weakened checks and balances to ensure that projects met legislative intent, and (4) geographic fragmentation of priorities.

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<sup>18</sup> The Olympic Province Advisory Committee (OPAC) offers a useful model. OPAC held two brief trainings on tribal consultation during its meetings to build the understanding of Forest Service personnel and OPAC members.

<sup>19</sup> In previous years there may have been more time for discussion of recommendations prior to the vote, but interviewees differed on whether the time was adequate.

The county caucus process constrains the ability of the RAC as a whole and of each representative to address issues and concerns related to all of the proposed projects. The process prevents members from one county from discussing another county's projects. Members whose interests extend beyond one county are challenged—both by the structure of the county caucus process and by limited time—to participate in discussions and decision-making in other caucuses. The Olympic Peninsula RAC process also defeats the purpose of having broader interest group participation on the RAC because only a county subset of them are part of any project decision. Indeed, one long-term RAC member didn't believe they were allowed to vote on anything other than their own county's projects, and another talked about "my RAC" in the context of each county being its own RAC. The process also excludes RAC members from Thurston County (which does not have Title II funds) from meaningful participation; if they choose a caucus to sit in on, they may not feel it is their place to influence the discussion, given that it is not "their" money.

Without a process to engage the entire RAC as an advisory body, there are limitations on the RAC's ability to explore and support multi-county projects and to address forest-wide or multi-county watershed issues. Choosing projects by county can fragment approaches to ecosystem and community health. There are, however, important exceptions. In 2004 and 2005, Jefferson County chose to support a youth project that benefited both Jefferson and Clallam counties. Title II dollars enabled Clallam County's strong noxious weed program to build the capacity of the previously unstaffed weed board in Jefferson County, and a Spanish translation and education project aimed at educating special forest product harvesters was supported by three counties.

Revising its decision-making model and process will enable the Olympic Peninsula RAC to assure that a full, representative body collaborative advises the Olympic National Forest on Title II projects.

### **Public, Agency, and Interest Group Relationship Building**

One of the purposes outlined in the Secure Rural Schools and Community Self-Determination Act is "to improve cooperative relationships among the people that use and care for Federal lands and the agencies that manage these lands" (Section 2(b)).

People interviewed for this study appreciate that the Title II program involves community members in decisions to allocate funds for projects that benefit the national forest. They feel that the RAC process provides people from different interest groups and counties the opportunity to better know the Forest Service and the way it operates. While some point out that significant collaborative efforts such as the watershed councils and the Northwest Forest Plan existed prior to the establishment of the RAC, all interviewees in this study spoke positively about the people and relationships involved in the RAC process, and noted positive outcomes from the Title II program. As one person commented, "People are there that would never talk to one another. Everyone is respectful."

All federal advisory committees are subject to a Civil Rights Initiative Assessment (CRIA), and the Olympic National Forest has submitted CRIA reports on behalf of the Olympic Peninsula and Grays Harbor RACs. There are 13 Native American tribes associated with the Olympic Peninsula; the Quileute Tribe is represented on the RAC. The Quinault Indian Nation was represented on the former Grays Harbor RAC and has received one RAC grant. The Jamestown S'Klallam tribe was awarded a small RAC grant to contribute to a large estuary restoration project. Apart from these, tribes have not submitted Title II proposals. One explanation given is that, for some tribes, the allowable rate for administrative fees is too low for a Title II proposal to be feasible. In addition, the tribes already interact with the Olympic National Forest on a variety of topics. Agency personnel report that some tribes are aware of and have even written letters of support for a number of the Title II projects that the Forest Service has developed.

Apart from recruiting a representative from the Quileute Tribe to serve on the RAC, there has not been outreach to the 13 tribes specifically regarding P.L.106-393 and its provisions. The Title II program offers an opportunity for further relationship building and collaboration among the agency, tribal governments, and the RAC.

The peninsula has a growing population of Latino natural resource workers and their families, particularly in Aberdeen, Shelton, and Forks. The RAC is supporting a unique education project targeted for Latino non-timber forest product harvesters, and Pacific District Ranger Eduardo Olmedo has consulted with Latino community leaders in Forks regarding the project. However, when asked if anyone was missing in the RAC process, none of the interviewees in this study mentioned the local Latino community as a group that should be included or represented, although urban communities of color in the Seattle area were mentioned. This is not unusual in rural settings where immigrants are largely “invisible” in civic processes, but a public involvement process like the Resource Advisory Committee presents a remarkable, and yet untapped, opportunity for outreach, relationship building, and creatively engaging Latino communities in forest processes, projects, and outcomes.<sup>20</sup>

### **County Government-RAC-Forest Service Relations**

All RAC members and Forest Service personnel interviewed spoke positively of the relationships between the agency and RAC members, and felt that their work together was congenial and efficient. While the RAC process brings people together who have very different viewpoints, there

was no acrimony among RAC members, county officials, or the participating Forest Service personnel.

The Olympic National Forest has faced severe staffing cuts in the last 15 years, consolidating ranger districts and closing district offices. Given reduced staff presence in the field, the Title II program and the RAC process provide a venue for local communities and county officials to remain in touch with the agency and to build relationships with agency staff. As one county commissioner noted, “When we had local ranger districts, we had a closer relationship with the Forest Service. We lost some of that. But the RAC brought us together again and we’re getting to know some of the folks at headquarters.” At the project level, the Title II program has fostered county-agency collaboration in new ways. In particular, the Title II funds and process opened the doors for active collaboration between the Forest Service and the counties to address noxious weeds.

Leaders at the Olympic National Forest are positive about the RAC process as a means for citizens to be involved in decision-making about projects that benefit forest resources. The forest places a premium on positive community relationships, to the point that staff have chosen to live with a couple of projects that the RAC supported, but that staff didn’t feel met the legislative intent of benefiting resources on the forest and for the general public. As one forest staff member commented, “It’s part of the idea of not having all of the say so. It’s part of inviting people into the process.” In return, interviews with RAC members and project proponents indicated that there was significant understanding and empathy for what the agency is mandated to accomplish with limited staffing and funds.

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<sup>20</sup> It is important to note that the Olympic National Forest has no administrative budget specifically for coordinating the RAC or for outreach to community groups currently outside the process. Several staff commented that a challenge of the program is that it creates more work without additional funds for travel or staff time. While project budgets include an administrative fee, the Forest Service has chosen to feed these fees into the forest’s overall administration budget, rather than for RAC-specific activities. Even if retained specifically for Title II, current administrative fees may cover little more than grant and contract administration costs. Whether the Forest Service dedicates more internal administrative funds, which is unlikely given the continued decline in agency funding, or obtains money from Title II administrative overhead charges, funds are needed to coordinate the RAC in a manner that best enables it to accomplish its work.

## Conclusion

The Title III programs in Clallam, Grays Harbor, Jefferson, and Mason Counties and the Title II Olympic Peninsula RAC effectively advance the intent and purposes of the Secure Rural Schools and Community Self-Determination Act. They promote “employment opportunities through projects that improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality” (P.L.106-393 2b). A number of the Title II and III projects dovetail with other collaborative planning and program efforts involving local, county, state, and federal partners, such as the Dungeness River Management Team, and help to advance objectives that extend beyond the scope of a discrete project.

The Title III projects approved by commissioners in these counties accomplish work on the ground that, overall, upholds the intent of the legislation, often complementing the intent and projects of the Title II program. Many projects promote collaboration and leverage partnerships, funds, and in-kind goods and services, multiplying the potential effect of project outcomes. Title III dollars are enabling counties to implement projects for ecological and community health that they would not otherwise be able to accomplish.

That said, counties on the Olympic Peninsula could make their Title III programs even more successful by improving their project solicitation and selection processes. Some counties have blurred the distinction between the discrete projects envisioned in the legislation and internal administrative allocations to county programs. Title III programs in Olympic Peninsula counties will “improve cooperative relationships” as called for in the legislation by developing a public and competitive process for funding projects that includes a call for project proposals that is open to groups beyond county programs. Clallam County provides a good model.

The guiding priority of the Olympic Peninsula RAC is to invest in projects that

maximize benefits for the intertwined goals of sound road access and watershed health. More than 75% of the funds the RAC has allocated have gone to watershed and roads projects, including fish barrier removal and culvert replacement, decommissioning, sediment reduction, washout repair, hydraulic management, erosion control, and stream monitoring. Paired with the wildlife and fish habitat improvement projects and noxious weed control projects, which support watershed health, the percentage rises to 89%. Finally, many of the activities of the youth employment projects focus on watershed maintenance and improvements.

To its credit, the Olympic Peninsula RAC recognizes the magnitude of managing the massive roads system and watersheds on the forest, in the context of a changed political and economic landscape. The RAC occasionally funds planning processes (such as a project to prioritize the most critical culvert replacements) and at times strategically funds projects in phases, including the design phase. Whether always by design or at times serendipitous, this method appears to be strategic on multiple levels:

1. Funding the design phase of a project allows the project to advance and enables the Forest Service to seek other funds for implementation, thereby leveraging RAC investments.
2. Complex projects that meet multiple management objectives can take multiple years. Funding discrete phases of a project increases the likelihood of overall project success by ensuring completion of more manageable steps before allocating additional funds.
3. Restoration projects seem to be particularly amenable to adaptive management—that is, they can pose unforeseen challenges



and puzzles. Funding complex projects in phases can allow the time needed to figure out the best way to accomplish it, and return to the RAC the following year with a second proposal that includes an adapted implementation plan.

4. Breaking the project into discrete phases opens the door for local contractors to bid for the portions of the overall project that match their capacities.

In keeping with the overall goals of the legislation, the RAC has been successful in helping to generate and/or maintain local employment through roads and restoration projects that are appropriate for local contractors and crews. Of the 12 contracts that have been awarded on projects to date, 10 have gone to local contractors. One of the two non-local contracts was a project design contract, which a local contractor implemented. In addition, the RAC invests in building job readiness skills and a stewardship ethic in the youth of its communities—the future caretakers of the peninsula. If there is a critique that RAC members have of project accomplishments, it is that a few are not sure the Title II and Title III dollars are attaining their promise of generating local employment—family wage jobs—for communities struggling to survive in a changing economy. While most see value in training young people, some question investing so much money into youth programs – given that so few funds are focused on generating projects in the woods and former timber workers and their families are struggling. Others point to the importance of investing in the futures of youth put at-risk by socioeconomic dislocation in their communities and building protective factors like job training, sense of place, and stewardship. As in so many cases of limited dollars and competing priorities, the best option for healthy communities is not “either/or” but “both.”

Finally, the Olympic Peninsula RAC has very successfully leveraged additional dollars, more than doubling funds available to accomplish projects on the ground.

Without diminishing these successes, there is room for improvement in the Olympic Peninsula Title II program. Three areas that could be improved include developing a project prioritization process that engages the Resource Advisory Committee as a whole, undertaking strategic planning with a forest-wide view, and creating mechanisms for reporting and monitoring project outcomes. These measures will help the Olympic Peninsula RAC be even more successful in building collaborative relationships, upholding the intent of the legislation, and moving toward its full potential as an advisory body to the Olympic National Forest.

The Olympic Peninsula RAC currently uses a process to select projects that (1) does not allow adequate time for discussion and collaborative decision-making and (2) does not fully engage the entire RAC in the decision-making process. The RAC and the agency might consider more frequent or longer meetings and perhaps field trips. Field trips can help deepen understanding of the management issues at stake, and foster a sense of group identity from which to articulate shared goals. The meeting agenda can be adjusted to limit project presentations to ensure that there is adequate time for discussion of priorities as a group. Finally, representation of diverse interests, and the creation of voting groups based on clusters of interests, were carefully outlined in the legislation; county caucuses are inappropriate as the primary decision-making groups. However the Olympic Peninsula RAC chooses to balance county discussions with RAC discussions, prioritizing and selecting projects should engage the entire RAC as a representative advisory body.

The RAC’s process of selecting projects—meeting one day per year and for all intents and purposes deciding by county caucus—discourages building a landscape level awareness to guide the RAC’s work. While RACs in general are challenged to make project selections based on a forest-wide vision and plan, given over a decade’s experience of watershed-level thinking and planning on the peninsula, and the capacity for multi-layered collaboration, the Olympic Peninsula RAC has the potential to begin addressing

landscape-level needs and priorities. Its project selections show a clear prioritization of the relationship between roads and watershed health, and it has had four years of successful working together (including integrating two RACs into one) to accomplish beneficial outcomes. The RAC maintains productive relationships among counties, within the RAC, and with the Forest Service. Given that dollars are limited and the watershed management needs on a forest of this size and diversity are great, with its second charter, the Olympic Peninsula RAC might consider ways to develop more of a forest-wide vision among its members, in partnership with the Olympic National Forest.

Finally, there is room for improvement in monitoring and reporting project outcomes. Apart from the project proposals and presentations by proponents for continuing funds, the Olympic Peninsula RAC does not have a mechanism to monitor or receive reports on project outcomes and employment created or maintained. Although county commissioners may informally follow progress of various projects in their areas, for the most part, RAC members do not see monitoring as part of their charge. Interviews with Forest Service personnel indicate that monitoring of Title

II projects is focused on contracts and agreement implementation rather than on project effectiveness and outcomes. The Olympic National Forest does not have the time or dollars necessary to monitor project outcomes. The legislation requires that Title II project proposals include monitoring plans. Follow-up on monitoring for outcomes and effectiveness is a challenge for RACs and forests across the nation. As a start, the Olympic Peninsula RAC might consider developing a simple report form to require of all projects upon completion. This will help the RAC develop a sense of its shared accomplishments to help guide its future work.

These critiques notwithstanding, the Title II and Title III programs have successfully implemented the Secure Rural Schools and Community Self-Determination Act to accomplish a range of worthy projects that benefit the social and ecological conditions of the communities and national forestlands of the Olympic Peninsula. The collaborative work of Clallam, Grays Harbor, Mason, and Jefferson Counties, the Olympic National Forest, and the Olympic Peninsula Resource Advisory Committee provide valuable lessons from which others implementing P.L.106-393 can benefit.

**Olympic Peninsula Resource Advisory Committee  
Interview Participants**

**In Person:**

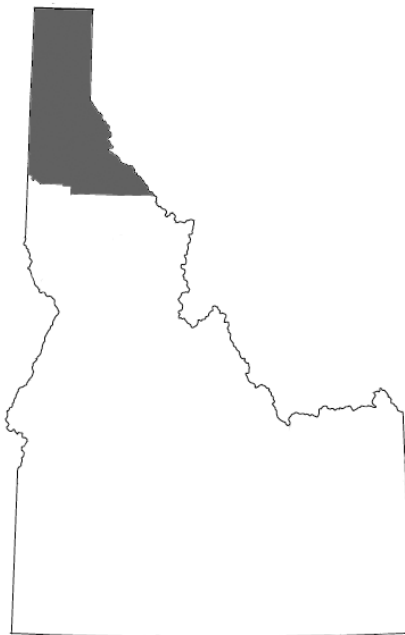
Brando Blore, Former RAC member, Clallam County  
Marilyn Bremer, WSU Cooperative Extension/4-H, Mason County  
Al Carter, RAC Member, Grays Harbor County  
Carol Dargatz, Jefferson County Noxious Weed Control Board  
Phil Decillis, Olympic National Forest  
Karl Denison, Olympic National Forest  
Mike Doherty, RAC Chair, Clallam County  
Ken Eldredge, Olympic National Forest  
Jim Freed, RAC member, Mason County  
Ginnie Grilley, Acting Forest Supervisor, Olympic National Forest  
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Monte Reinders, Jefferson County Public Works  
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Tom Robinson, Washington State Association of Counties  
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Kevin Robbins, Washington Conservation Corps, Crewmember  
Amy Spoon, Washington Conservation Corps, Crewmember  
Jesse Udem, Washington Conservation Corps, Crewmember

**By Phone:**

Val Addleman, Addleman Construction  
Scott Haggerty, Olympic National Forest  
Roland McGill, Washington Conservation Corps  
Larry Ogg, Olympic National Forest  
Craig Ottavelli, RAC Member, Thurston County  
Allen Sartin, Jefferson County (short interview)  
Max Stocks, Former RAC Member, Grays Harbor (partial interview)  
Bill Whitson, US Forest Service Region 6 (short interview)

# **Idaho Panhandle Resource Advisory Committee and Title III Case Study**

Tom Brumm  
Jonathan Kusel  
Sierra Institute for Community and Environment





## Background

The Idaho Panhandle RAC involves Idaho Panhandle National Forest lands, which are a recent combination of three national forests, and five northern Idaho counties. These five counties comprise the northern portion of Idaho—the top of the Panhandle—starting with Benewah and Shoshone Counties to the South, Kootenai and Bonner Counties in the middle, and ending with Boundary County reaching to the Canadian border. To the east is the state of Montana and to the west is the state of Washington.

The land is heavily forested, with over 90% of Boundary and Shoshone Counties and 75% of Kootenai and Benewah counties classified as forestlands. Much of these lands are managed by the federal government: 75% of Shoshone County, 61% of Boundary County, and 44% of Bonner County are in federal ownership. Only in Kootenai and Benewah Counties is a majority of the land privately held. A total of 40% of the land in Benewah County is part of the Coeur d’Alene Indian Reservation. The Kootenai Tribe has a small reservation in Boundary County.

The population of the five counties differs greatly, the largest being Kootenai County with a population of 122,350.<sup>1</sup> Benewah County is the smallest, with a population of 8,961. Boundary County and Shoshone County are a close second and third smallest, with 10,396 and 12,827, respectively. Bonner County is in the middle with 39,872 people. Popu-

lation change in the counties also differs. Shoshone County lost population in the 1990s and continues to decline. While Benewah County gained population in the 1990s, it has lost population since 2000. This contrasts with the tremendous growth in Kootenai and Bonner Counties: Kootenai has grown over 40% since 1990 and continues to do so, adding 13,365 people since 2000, and Bonner County grew over 30% and continues to grow, although at a slower rate than Kootenai County. Boundary County has experienced moderate growth, in the decade of the 1990s and since 2000. Much of the growth in Kootenai County can be attributed to both its proximity to the Spokane metropolitan area (pop. 428,000), and the natural beauty of Coeur d’Alene and Hayden Lakes. Similarly, in Bonner County, the city of Sandpoint is growing because of its proximity to the beautiful Pend Oreille Lake and surrounding area.

All five counties had 2004 unemployment figures higher than the Idaho and U.S. averages, and all five counties had per capita income levels less than the 2002 Idaho and U.S. averages. There are, however, substantial differences even between these counties. Three of the five counties, Benewah, Boundary, and Shoshone, are struggling economically. Tables 1 and 2 offer a glimpse of the economic condition of these five Northern Idaho counties, and highlight some of the differences between them.

**Table 1. Unemployment Rate—1990-2004**

UNEMPLOYMENT %	1990	2000	2004
Benewah	11.5	12.4	8.9
Bonner	9.8	9.0	7.1
Boundary	9.3	8.6	7.1
Kootenai	8.0	7.4	6.0
Shoshone	9.9	11.1	11.6
Idaho	5.5	4.6	5.1

<sup>1</sup> All population data are from County Profiles, Idaho Department of Commerce and Labor, Labor Market Information: [ci.idaho.gov/mi](http://ci.idaho.gov/mi).

**Table 2. Per Capita Income 1990-2002**

PER CAPITA INCOME \$	1990	2000	2002
Benewah	13,932	20,217	22,271
Bonner	13,177	17,396	17,872
Boundary	17,872	17,045	18,316
Kootenai	15,776	23,014	24,164
Shoshone	14,293	19,152	20,714
Idaho	15,866	24,076	25,476

*Shoshone County* continues its struggle to recover from devastating mine and smelter closures in the 1980s. Following the closures, Shoshone County's population declined by 28% in the 1990s. The county continues to lose population, declining by 1,000 people between 2000 and 2004. Out of 44 Idaho counties, Shoshone is one of the two with a net population decline during this time. At 11.6%, Shoshone County's 2004 unemployment rate is the highest of the five northern Panhandle counties. The county's per capita income is nearly \$5,000 below the state average. With the mill and mine closures, and following two decades of double-digit unemployment rates, Shoshone County has gone from being one of Idaho's three most prosperous counties to becoming one of the more impoverished. The largest employers in Shoshone County are Dave Smith Automobile Sales and Kellogg School District, both employing between 300 and 399 and 200 and 299 employees, respectively.<sup>1</sup>

*Benewah County* has the second highest unemployment rate among the five counties and has also lost population since 2000. Benewah County's economy remains heavily dependent upon forest products. The Coeur d'Alene Indian Reservation, extending from western Benewah County into southern Kootenai County, has been the main force for economic growth in recent years. The tribe is the largest employer in the county, employing roughly 400

people at its casino and hotel in Worley, just over the county line. Benewah County's per capita income is the second highest among the five Panhandle counties, largely due to the timber industry and tribal enterprise wages. Potlatch Lumber and Wood Products is the second largest employer in the county, employing between 300-399 people.

*Boundary County* faces more difficult economic times following a relatively prosperous 1990s. In the 1990s, Boundary County enjoyed strong job growth, but since then the timber industry's decline and the broader U.S. economic slowdown have eroded the county's employment base over the last four years. The county suffered a serious economic blow in 2003 when one of its two largest mills closed, putting 140 people out of work. The county's per capita income is the second lowest among the five counties and its unemployment rate is 2% above the state average. The largest employer in Boundary County is the Boundary County School District. Boundary Community Hospital, Kootenai River Inn, and Riley Creek Lumber are the next largest employers, with roughly 200 workers.

*Bonner County* is growing economically healthier. While its per capita income lags and its unemployment rate is 2% above the state average, manufacturing rose 59% between 1993 and 2003. Businesses producing salad dressing, airplane, and electronic and high-tech manufacturers are leading the

<sup>1</sup> This and other employer data is drawn from County Profiles, Idaho Department of Commerce and Labor, Labor Market Information: [ci.idaho.gov/mi](http://ci.idaho.gov/mi).



way. The biggest source of new jobs has been Coldwater Creek, a Sandpoint catalog company, which now employs close to 400 people in the county. The largest employer in Bonner County is Lake Pend Oreille School District, employing between 600 and 699. Along with Coldwater Creek, the next largest employers are Bonner County itself, Bonner General Hospital, Litehouse Food Products, and Wal-Mart, all with reported employment of between 300-399 people. Tourism is growing rapidly with the development of the Schweitzer Mountain Resort, which employs roughly 250 people. Construction and the real estate market in the county are shattering previous records. J.D. Lumber, Riley Creek Lumber, and the West Bonner School District round out the top employers in the county, employing roughly 250 each.

*Kootenai County* is also booming. From 1993 to 2003, its population grew by 42%, nearly double the statewide average. During this same period, the number of private-sector employers increased by 16%, from 3,637 to 4,207. Coeur d'Alene is the largest city in the Panhandle with 37,300 people. Post Falls and Hayden are the next largest with population totals of 20,000 and 10,400, respectively. The opening of the Coeur d'Alene resort in 1987 launched an incredible growth in tourism that was spurred on by the opening of the Silverwood theme park in 2004. Other events promoting diversification and growth of the economic base over the last ten years include the relocation of many manufacturing operations and six call centers to Kootenai County. About 4,100 people

work in the county's manufacturing businesses and 1,700 people work at call centers. With roughly 1600 plus employees, the largest employer in Kootenai County is the Kootenai Medical Center. The second largest is the Coeur d'Alene School District, with roughly 1,350 employees, followed by the Coeur d'Alene Resort, with 950 employees, and the North Idaho Community College with 850. Coeur d'Alene Tribal Casino, Verizon Northwest, and Kootenai County's Post Falls School District are the other top county employers.

Like most western states and Idaho in general, the Idaho Panhandle has seen a dramatic decline in timber harvests from federal lands. In 1987, the Idaho Panhandle National Forest Plan established an average annual allowable sale quantity of 280 million board feet (mmbf) with a 350 mmbf level envisioned for the second decade of the forest plan. In 1991, just 201.6 mmbf were offered for sale and 163.2 mmbf actually sold. In 2000, 76.3 mmbf were offered for sale and 78.2 mmbf were sold. This amount decreased to 42.2 mmbf offered in 2003 and 22.1 mmbf sold. This nearly 86% decline in timber volume sold since 1991 is typical of Northwest federal forests and has had a dramatic effect on those communities dependent upon harvests and processing wood. All of the five counties in the Idaho Panhandle RAC have been affected by this decline in federal timber harvest, but the three smaller counties, Benewah, Boundary, and Shoshone Counties, have been affected the most.

## County Elections for Titles II and III

Since the beginning of the program Title III funding has decreased in four of the five counties. All five counties funded Title III in 2002, but by 2005 only Benewah and Boundary Counties continued to allocate funds to it. Table 3 shows Title II and Title III allocations for each of the five counties since the beginning of the legislation.

Support for Title II and the RAC increased from \$336,388 in Fiscal Year (FY) 2002 to \$1,196,579 in

FY 2005. During the same time, Title III funding declined from \$793,287 to only \$41,231. The reasons interviewees gave for this shift were the adverse impact of Title III funding on Payment In Lieu of Taxes (PILT), particularly in Shoshone County, the greater flexibility of Title II, and an increasing acceptance and appreciation of the role of the RAC. Higher Title III payments typically reduce a county's PILT, which are payments received from

**Table 3. County Title II and III Allocations<sup>2</sup>**

Benewah	Title II	Title III
2002	\$8,654	\$8,654
2003	8,723	8,723
2004	8,827	8,827
2005	8,942	8,942
Bonner		
2002	\$139,014	\$69,507
2003	140,126	70,063
2004	212,711	0
2005	215,477	0
Boundary		
2002	\$104,154	\$104,154
2003	178,479	31,496
2004	180,620	31,874
2005	182,968	32,289
Kootenai		
2002	\$30,350	\$121,402
2003	152,966	0
2004	154,802	0
2005	156,815	0
Shoshone		
2002	\$122,393	\$489,571
2003	616,859	0
2004	624,261	0
2005	632,377	0

the federal government to compensate for the loss in tax base associated with federal land in a county. Title II has no effect on PILT. This is the primary reason counties have opted to allocate most of their P.L. 106-393 payments to Title II. Shoshone County Commissioner and RAC Chair Jon Cantamessa stated that once Shoshone County was comfortable

with the RAC process and projects funded, it was an easy decision to put all of its funds into Title II. A Bonner County commissioner stated that the reason they decided to allocate all of their recent year's funds to Title II was that the county was not using Title III funds effectively and the RAC was doing a better job of selecting projects.

## **Title III Projects**

This section focuses primarily on Benewah and Boundary Counties, both of which have had a Title III program for four years. Boundary County has had considerably more money to allocate, hence, the two programs are quantitatively different. Boundary County reduced its Title III allocation from \$104,154 in the first year to just over \$30,000 in each of the three subsequent years. Benewah County, receiving the smallest P.L. 106-393 allocation of the five counties, maintained an even split between Title II and III throughout the first four years of the program. The amount allocated to each Title has always been just under \$9,000 annually. The other Title III allocations discussed in this section include the large first year allocation of Shoshone and Kootenai Counties, and the FY 2002 and 2003 allocations of Bonner County. Shoshone and Kootenai Counties made no Title III allocations after the first year, and Bonner County ceased after FY 2003.

### **Boundary County**

All three Boundary County Commissioners stated that the county does not have a formal process for determining Title III allocations. Decisions about Title III spending are made through the county budget process. The county has allocated funds to the same two programs each year: Search and Dive Rescue Equipment and Geographical information System (GIS) Mapping and County Addressing. Because these Title III allocations were not offered through open competitive processes, they are classified in this report as administrative allocations.

Funds for the Search and Dive Rescue project were used to purchase office equipment and supplies, communications equipment, avalanche equipment, an all-terrain vehicle, and dive equipment for wildland search and rescue operations on national forest land. Funds are also used to train volunteer personnel to conduct search and rescue. Over four years, \$79,614 has been approved for this work. Search and rescue funding received \$14,998 in FY 2002, \$26,000 in FY 2003, \$5,350 in FY 2004, and \$33,266 in FY 2005.

The GIS Mapping and County Addressing project partners Boundary County with the Bonners Ferry Ranger District of the Panhandle National Forest to map roadways in the county. This work contributes to the development of a GIS map program and countywide addressing system to improve emergency preparedness and emergency service delivery. For the first two years this project paid young adult crews for a period of six weeks with Title II funds to perform the on-the-ground work. The Bonners Ferry Ranger District has been a close partner on the project. Over four years, \$83,523 has been allocated to this effort: \$14,916 in FY 2002, \$22,974 in FY 2003, \$20,633 in FY 2004, and \$25,000 in FY 2005.

For the first four years Boundary County allocated \$199,813 to Title III. Of that amount, \$163,137 went to these two multi-year efforts. The county retained an unallocated or holdover amount of \$36,676. These funds are being held for county emergencies.

### **Benewah County**

Benewah County has allocated \$35,146 over four years to Title III. The only Title III expenditure is \$5,377 in 2005 for radios for the Sheriff's Department Search and Rescue. The balance, totaling \$29,769, has been reserved for future use.

### **Kootenai County**

Kootenai County's Title III allocation of \$121,402 in FY 2002 was used for two activities in that year. One was a \$7,829 budget request by the Sheriff's Department to support search and rescue operations. The second was a \$44,170 Arbor Day forest restoration and tree-planting project for the four largest cities in Kootenai County—Coeur d'Alene, Post Falls, Hayden, and Rathdrum. Kootenai County has placed the balance, totaling \$69,403, from FY 2002 in a trust fund for future projects. No additional money has since been allocated to Title III.

### Bonner County

Bonner County allocated \$69,507 in FY 2002 and \$70,063 in FY 2003 to Title III. The only expenditure the county has made with these funds is a 2003 administrative transfer of \$34,857 to the Sheriff's Department for law enforcement during a large music festival on the south end of Lake Pend Orielle next to Forest Service lands. The remaining \$104,713 has been placed in an Auditor's Trust for future use.

### Shoshone County

Shoshone County allocated \$489,571 to Title III in FY 2002. A total of \$80,000 as a four-year grant was committed to the Pulaski Project, a multi-agency effort involving many participants and other funders. The project goal is to construct a trail to an old mine where Ranger Ed Pulaski and his crew of firefighters ran for survival in the renowned fire of 1910. The project was also supported with Title II funds, and is discussed further below. A second Shoshone County allocation of Title III funds involved an administrative transfer of \$37,549 over two years to the Sheriff's Department for search and rescue activities. A third allocation supported two tree beautification projects in fiscal years 2003 and 2004—one in Smelterville for \$10,400 and another in Pinehurst

for \$16,300. Shoshone County holds in reserve a balance of \$350,719 of Title III funds, which includes \$5,398 in interest income.

The largest use of Title III funds in these five counties was by sheriff departments for search and rescue activities, collectively totaling \$248,749 (see Table 4). A total of 25% of all Title III funds, or 62% of all Title III fund used, went to search and rescue activities. These funds were distributed through administrative transfers with limited documentation. There is no record, for example, of whether the counties allocated a proportionate share based on current or historic search and rescue activities on federal land. Other allocations involving specific projects included \$70,870 for tree planting and beautification projects in Kootenai and Shoshone Counties and \$80,000 for recreation and trail development in Shoshone County. These project allocations totaled 38% of expended Title III funds.

The most startling fact about Title III funds in the Panhandle Region is how much is held in reserve by the counties. Administrative transfers for search and rescue and county projects totaled \$399,619, or 40% of all Title III dollars. A total of \$591,280 (or 60% of all funds) are reserved for future use.

**TABLE 4. Title III Allocations 2001-2005**

County	Administrative Transfers (search and rescue)	County Projects	Unspent
Benewah	\$5,377	0	\$29,769
Bonner	\$34,857	0	\$104,713
Boundary	\$163,137	0	\$36,676
Kootenai	\$7,829	\$44,170	\$69,403
Shoshone	\$37,549	\$106,700	\$350,719
<b>TOTAL</b>	<b>\$248,749</b>	<b>\$150,870</b>	<b>\$591,280</b>

Commissioners in Boundary County said that they are retaining \$36,676 for emergencies and future Title III projects. This is similar to the views of commissioners in the other four counties, where Title III monies are also retained as “rainy day funds.” Some county commissioners felt that Title III was restrictive in its permitted uses and therefore difficult to use. According to Shoshone County Commissioner and RAC Chair Jon Cantamessa, the Title III guidelines are vague and it would have been helpful if the federal government had developed an information service, which could have pro-

vided answers to their questions about permissible uses of the funds. Another county commissioner flatly stated that their county had no plans for the use of its remaining Title III funds, which amount to more than \$100,000. Lastly, counties are operating under recommendations from the Idaho Association of Counties that the legislation does not require the money to be spent by 2006—only allocated. As a result, counties believe that since they have made allocations, though not necessarily to projects, they still have some time to allocate those dollars to specific uses.

## Title II Projects

After the initial year of funding, when most of the five county P.L. 106-393 money was allocated to Title III, the RAC budget increased to \$1.1 million. Funding increased dramatically in FY 2003 as result of Kootenai and Shoshone Counties allocating all of their Title II and Title III eligible funds to Title II. As mentioned above, this reflects both an acceptance and approval of the RAC, along with concern over the effectiveness of Title III funds. It stands today at just under \$1.2 million. County contributions to the Panhandle RAC are shown in Table 5.

### Project Solicitation and Applications

The Idaho Panhandle RAC accepts project applications on a continuous basis, unlike the annual application process of some RACs. The RAC meets monthly and makes funding recom-

mendations at each meeting. However, it usually takes more than one meeting for a project to be recommended. There is a call for new projects within the Forest Service three weeks prior to any RAC meeting, and the Forest Service asks for priority projects from their district rangers prior to the scheduled RAC meeting. The Idaho Panhandle National Forest is moving towards establishing forest-wide project priorities for RAC projects, rather than relying on priorities from each ranger district. The RAC also receives project requests from the counties and from non-governmental organizations, although these are few in comparison to the number of proposals received from the Forest Service.

### Recommended Projects

Over the four years of its operation, the Idaho Panhandle RAC has recommended funding for 139

**Table 5. Idaho Panhandle Counties Title II Funding**

County	FY 2002	FY 2003	FY 2004	FY 2005
Benewah	\$8,654	\$8,723	\$8,827	\$8,942
Bonner	139,014	140,126	212,711	215,477
Boundary	104,154	178,479	180,620	182,968
Kootenai	30,350	152,966	154,802	156,815
Shoshone	122,393	616,859	624,261	632,377
<b>RAC TOTAL</b>	<b>\$404,565</b>	<b>\$1,097,153</b>	<b>\$1,181,221</b>	<b>\$1,196,577</b>

projects. The vast majority of these projects are developed and led by the Forest Service. A total of 118 projects (85%) are Forest Service projects. Of the 21 remaining, 17 (12%) are county projects. The RAC is aware of the preponderance of Forest Service projects, and some members have expressed frustration with this. Given that few applications are received from other entities, there is also appreciation among RAC members that the Forest Service projects proposed are generally good ones, and, as a result, most of them are supported by the RAC.

### Project Types

The projects fall into six categories as identified by the Forest Service and the RAC: Noxious Weeds, Water Improvement/Fish Passage, Recreation/Trails, Youth Crews, Hazardous Fuels/Vegetative Treatments, and Road and Bridge Improvement. It is important to recognize that a project listed in one category may have elements that would allow it to be reasonably listed in another category. For example, youth crews are sometimes used for trail work.

Recreation/Trails and Road and Bridge Improvements, for which this RAC spent 24% and 28% of its total funds, respectively, are the highest priorities for this RAC. This preference has been fairly consistent over the four years of the RAC's existence.

However, Hazardous Fuels/Vegetative Treatment projects, which received no funding in the first year, have since received 10-20% of the RAC's yearly allocations.

Several of the more innovative and significant RAC projects funded over the past four years follow.

#### *Mickinnick Trail Project*

This project meets a long-standing Sandpoint community objective and highlights how RAC dollars can be used to bring partners together, leverage additional dollars, and complete projects that enjoy a wide variety of partner support and participation. The project started in 1997 when a local resident donated 160 acres of land to the Forest Service in memory of her late husband. The donated land connects two parcels of national forest land and borders land owned by the Bureau of Land Management (BLM) and the City of Sandpoint.

The RAC contributed \$133,425 in Title II funds over FY 2003 and 2004 to this project. The Title II funds included \$7,500 for survey and design work in the first year, and \$125,925 in the second year for the trail (\$59,075), the trailhead (\$60,350), and roadwork (\$6,500). There are three primary public entities with interests in the Mickinnick Trail project. The Sandpoint Ranger District is requesting

**Table 6. Project Funding**

Category	2002	2003	2004	2005	TOTAL
Noxious Weeds	\$93,663	\$142,195	\$113,437	\$142,763	\$492,058
Water Improvement/ Fish Passage	\$65,800	\$71,100	\$72,868	\$90,926	\$300,694
Recreation/Trails	\$61,000	\$185,620	\$357,495	\$305,020	\$909,135
Youth Crews	\$24,525	\$67,150	\$151,812	\$179,434	\$422,921
Hazardous Fuels/ Vegetative Treatment		\$205,000	\$276,850	\$120,000	\$601,850
Road and Bridge Improvement	\$117,000	\$204,880	\$326,943	\$386,628	\$1,035,451
<b>TOTALS</b>	<b>\$361,988</b>	<b>\$875,945</b>	<b>\$1,299,405</b>	<b>\$1,224,771</b>	<b>\$3,762,109</b>

funds to construct the trail, the city of Sandpoint is requesting funds to construct the trailhead facility on city property, and Bonner County is requesting funds to meet Bonner County planning and zoning road reconstruction requirements for access to the trailhead. Additionally, the trail project received \$16,100 from the city of Sandpoint for trailhead construction and an easement on city property, \$500 annually in volunteer labor for trail maintenance from Friends of Mickinnick, \$250 annually in trail maintenance from Monday Hikers, and \$500 in labor from a local Eagle Scout for construction and installation of two benches.

The Sandpoint Ranger District has constructed and will maintain the trail. The trail is 3.4 miles long with moderate grades as it switchbacks around huge rock outcroppings and meanders between large trees and through grassy meadows. The trail offers an attractive forest setting and vistas of Sandpoint and Lake Pend Oreille. It is also designed as a single-track trail with a surface suitable for hikers and mountain bikers alike.

#### *Senior Community Service Support*

The Senior Community Service Employment Program is a “work, learn, earn” program, granted to the Forest Service by the U.S. Department of Labor. Participants must be 55 years or older and at or below the poverty level. Participants in the program work a variety of tasks including, but not limited to, managing campgrounds and rental cabins, providing dispersed facilities maintenance, and doing general clearing and repair work at Forest Service facilities. Tasks may also involve carpentry, plumbing, site refurbishment, painting, welding, fleet maintenance, and facilities surveys. The Senior Community Service Employment Program has been a Forest Service program for over 30 years, but recent budget cuts have forced dramatic reductions in the program. Many ranger districts lost all their funding for the program while others, like the Bonners Ferry Ranger District, were significantly cut. The program was considered important enough that in FY 03 the Bonners Ferry Ranger District leveraged funding for a \$47,990 Senior Community Service Employ-

ment Program with \$10,640 in Title II RAC funds, \$19,500 from a U.S. Department of Labor grant, and \$17,850 in Forest Service funds for vehicle support, safety equipment, supplies, supervision, and program management. In FY 04 the funding mix was similar with \$13,760 in Title II funds, \$19,500 in grant monies from the Department of Labor, and \$20,850 in Forest Service support. The FY 03 program allowed four participants to work full time for six months, and the FY 04 program provided employment for one full-time person and five part-time people. The Title II portion of the program permits two or more participants to work full time on the Ranger District for up to five months.

#### *Placer Creek Project*

This is a two-year, two-phase project designed to carry-out pre-project data collection and prescribed burns in watersheds to reduce the risk of catastrophic wildfire and protect municipal watersheds. Additionally, the project is designed to improve late seral conditions involving the Western Larch. First year funding totaled \$150,000 for data collection and other pre-project National Environmental Policy Act compliance work. The second year proposal requested support for prescribed burning and aquatic work. The Forest Service provided \$40,000 of in-kind support for pre-project work. This project follows recommended management direction under the Shoshone County Fire Mitigation Plan for work in municipal watersheds. It also complies with the National Fire Plan and the Healthy Forests Initiative and local work associated with these initiatives.

#### *Idaho Panhandle National Forest Youth Crews*

The RAC supported projects totaling \$165,674 that was supplemented with another \$116,862 in Forest Service funds and \$25,100 of in-kind contributions for a five-county youth crew project. Funding was divided among ranger districts, all of which operated slightly differently.

- Sandpoint Ranger District: \$30,000 in Title II funds and \$50,000 in Forest Service funds to employ 12 Youth Conservation Crew (YCC)

- youth and two leaders for eight weeks.
- St. Joe Ranger District: \$43,422 in Title II funds and \$6,758 in Forest Service funds, plus tools and equipment, to employ a three-person trail crew plus a supervisor for the summer.
  - Priest Lake Ranger District: \$17,700 in Title II funds and \$2,000 in Forest Service funds, plus tools and equipment, and \$2,000 in in-kind time from the Back Country Horsemen to employ a six-person Youth Conservation Crew and supervisor for the summer. Youth will be recruited from local high schools and alternative schools.
  - Kootenai County Youth Crew and Shoshone County Youth Crew: \$32,400 in Title II funds and \$48,842 in Forest Service funds to employ a six-person trail crew of college students using the Student Training Employment Program.
  - Shoshone County and the Coeur d'Alene River Ranger District: \$24,852 in Title II funds and \$9,262 in Forest Service funds. These funds will be used for a six-person crew to maintain or reconstruct existing trails and eradicate noxious weeds. The county will hire crew members who will work for a period of 12 weeks. The target age is 18 years or older.
  - Bonners Ferry Ranger District: \$17,300 in Title II funds and \$23,100 of in-kind contributions (\$6,300 Forest Service, \$16,500 Workforce Investment funds, and \$1,500 in State of Idaho grant funds) to employ five Boundary County youth and one supervisor for ten weeks, in addition to the Workforce Investment crews.

Generally, youth crews work on trails and recreational facilities. Targeted trails are those in need of bridge work and maintenance, culvert and drainage repair, brush cutting, and sign installation and repair. Work in developed recreational facilities includes painting, cleaning, repair, and minor carpentry work. As important as the benefits are to

the forest, perhaps of greater importance is the provision of employment opportunities for 42 youth from the five counties.

#### *Pulaski Tunnel Trail Project*

Among RAC members, Forest Service staff, and community leaders, the Pulaski Tunnel Trail project is ranked as one of the most significant of all Idaho Panhandle RAC-funded projects. This project has long been the dream of many residents in the city of Wallace and the Shoshone County area. In 2004, a committee comprised of local residents was formed for the purpose of constructing a trail to the old mine where Ranger Ed Pulaski and his crew survived the great fire of 1910.

Funding for the project includes a Congressional appropriation of \$297,000 to the Forest Service, a \$60,000 Forest Service Centennial grant, \$60,000 from the Idaho Department of Parks and Recreation, \$80,000 in Title III funds from Shoshone County for a full time executive director and part-time staff, and \$26,500 in Title II funds from the RAC for trail bridge construction.

The project involves construction of an accessible trailhead including a parking lot, toilet, and interpretive day use area; five trail bridge structures; Pulaski Tunnel access closure; and interpretive signage and construction of 1.8 miles of trail to the historic mine.

Project proponents hope that this trail and accompanying interpretive facilities will be an important tourism attraction drawing visitors to Wallace and Shoshone County. Proponents look forward to having a facility and operation to tell the full story of the 1910 fire, the largest forest fire in the history of the Western United States.

#### *Shamrock/Stump Creek Meadows Rehabilitation*

This project provides for restoration of Shamrock and Stump creeks, which includes building stream structures to create pools and provide channel stability, introduction of large woody debris to enhance fish habitat, physical reconstruction of eroded banks, and seeding and planting native vegetation for bank and bed stabilization. This restora-



tion project is funded with \$46,000 of Title II funds, and \$33,500 of Forest Service in-kind support for National Environmental Policy Act planning and administration, and noxious weed treatment. The Northwest Access Alliance and the Back Country All-Terrain Vehicle (ATV) Association have pledged \$4,800 in volunteer labor.

A primary objective of the project is to restore and enact measures to prevent further damage to the area by motorized use. The area will be closed to motorized use by the construction of a fence along access points, re-contouring unwanted road access, placing woody debris and rock in areas where the meadows have been breached or might be breached, building physical barriers such as earth berms and trenches, and adding signage explaining meadow closure. There is hope among RAC members and project advocates that the project will generate support from other motorized recreation groups to help monitor progress and report the riders who misuse the national forest. Lastly, the restoration of both Stump and Shamrock Creeks in the Hayden Lake

Drainage will remove a chronic sediment source to an impaired water body, helping to improve overall stream conditions within the Hayden Lake Basin.

These highlighted projects are cited by RAC members, Forest Service staff, and county officials as some of the best projects the RAC has funded. While they may be at the top of the list, they are still fairly representative samples of the 139 Idaho Panhandle RAC projects funded over the past four years. There is a general consensus that the RAC has done a good job of getting work done on the ground that improves national forest lands. However, the RAC and the Forest Service are subject to the criticism that the majority of the projects are Forest Service-run projects. This suggests that the local communities and local organizations either are unaware of the RAC and its funding, or possibly lack the necessary capacity to develop proposals and engage in the RAC process.

## **RAC Formation and Composition**

The Idaho Panhandle RAC began with a facilitated orientation session in December 2001. Those interested in serving on the RAC filled out an application. This resulted in more applications than needed. Selections were made in consultation between the Forest Supervisor and county commissioners. With the exception of the representative of the Kootenai Tribe, all RAC members re-applied after their initial three-year terms expired and were re-appointed in 2004. The Kootenai Tribal representative asked that a different individual be appointed to represent the tribe and this was done.

The RAC currently consists of 15 members from all five counties. The Forest Service and the county commissioners work together to assure adequate representation from each of the counties. Three of the RAC members are County Commissioners—Jon Cantamessa of Shoshone County, Gus Johnson of Kootenai County, and Jack Buell

of Benewah County. All three commissioners have long term ties to their communities: Cantamessa as the local grocer in Wallace, Johnson as a thirty-year aluminum worker and union official at Kaiser, and Buell as a regional owner-operator of logging trucks and equipment. With the exception of wild burro and horse interests, all of the statutory categories have been met. Timber interests seem to be somewhat over-represented with four members having either active or previous timber industry connections. In addition to the member appointed to the timber industry position, the person appointed to the state elected official position works full time for Associated Logging Contractors when the legislature is not in session, the Dispersed Recreation representative works for Potlatch Corporation, and the Public-At-Large member is a retired forest products company employee and active in the group Women in Timber.

From its inception, the RAC chair has been Commissioner Jon Cantamessa of Shoshone County. RAC members accept Cantamessa's continuous leadership and, in fact, give Commissioner Cantamessa credit for much of the RAC's success. Cantamessa said that a critical factor in his ongoing chairmanship is Shoshone County's contribution of half of all RAC funding. Given member's overall satisfaction with his performance, it is anticipated that Commissioner Cantamessa will continue as RAC chair for the foreseeable future.

### **RAC Operation**

With the exception of July and August, the RAC meets monthly at the Forest Supervisor's Office in Coeur d'Alene. The RAC has met in every one of its participant counties except Boundary. In addition to the monthly meetings, the RAC holds two field trips per year that are highly regarded and well attended.

The RAC considers projects as they are submitted on a rolling basis. At the first meeting following RAC receipt of a new project proposal, the RAC will review the proposal and discuss it. At the following meeting, if invited by the RAC, the project sponsor will present the proposal to the RAC for further RAC discussion. The RAC may make a decision at that meeting or defer the decision until the next meeting.

The RAC tends to set its own priorities and these have been flexible and evolving over the four years of its operation. There is no project prioritization from the Forest Service except for road and weed projects. The RAC asked the Forest Service for this prioritization. There do not appear to be any conflicts among the three primary groups that make up the RAC. It is the policy of the RAC to make decisions as a group. Votes on individual projects are also taken as a group. As a result, project vetoes come from the group as a whole. Yet, while the RAC votes on projects as a group, they do so recognizing the subgroups and the requirement of a supermajority approval in each subgroup. According to the Chair, there have been some projects that were viewed negatively by the RAC. Some of these

were re-worked and then funded, and others were dropped.

Nearly all of the interviewees, including the Designated Federal Official, the RAC Coordinator, district Forest Service staff, and commissioners in all five counties, among others, felt the RAC is working well. The primary challenge has been obtaining a quorum for a couple of meetings out of the 9 or 10 it holds in a year. When the RAC coordinator determines that the RAC will not have a quorum, the meeting is cancelled to spare RAC members from traveling long distances to a meeting in which no decisions can be made. The chair felt that the major reasons for the lack of a quorum are conflicts members have with other meetings, such as those of the state legislature or its committees, along with the considerable distances some members must travel to participate.

### **Public, Agency, and Interest Group Relationship Building**

This RAC does not appear to have divisions along interest group lines and, in fact, RAC members from timber and environmental interests have developed a good working relationship. No one reported divisive debates or significant conflicts over project funding. RAC members get along well. This is reflected in the fact that fourteen of the fifteen RAC members agreed to serve another three-year term. Decision-making as a group has served the RAC well. While the environmental interests appear to be under-represented relative to the number of RAC members representing timber interests or with timber industry backgrounds, no one mentioned this as a shortcoming.

This RAC is unique in its regional and multi-county focus. Unlike other multi-county RACs where members are preoccupied with assuring a dollar-for-dollar return in project support for their county RAC allocation, project proposals are decided on the merits of the project first. Counties do want and have agreed that commensurate dollars will be returned. This agreement was established in the early days of the RAC following extensive discussion. As a result, there is a trust and an assump-

tion that this will take place. Should county dollar totals fall out of balance, end of the year project allocations will address inequities. This trust is built on a foundation of working relationships between the counties that preceded the formation of the RAC. There also have been a number of multi-county projects, particularly in the areas of noxious weed control and youth crews.

The Idaho Panhandle RAC has limited involvement of community groups and outside organizations. There are few non-governmental organizations funded by the RAC. This is because few proposals are submitted by outside groups and a large number of good project proposals are submitted by the Forest Service district rangers. One county commissioner commented that the district ranger in Sandpoint was so good and so aggressive in bringing projects forward that the Sandpoint District was getting a disproportionately high number of projects funded. The RAC coordinator stated that community groups approach the counties for project funding and some county projects better reflect community involvement. Still, non-Forest Service projects account for only 15% of the total number of projects. The limited involvement of other groups has contributed to a public uninformed about the RAC and RAC projects. This reduces the educational potential of RAC projects, as well as the ability of the RAC and the agency to broaden the circles of collaborative work and partners. Increasing community outreach and broadening the circle of project applicants is an area that warrants more attention for both the RAC and the agency in the future.

### **County-RAC-Forest Service Relations**

All five counties strongly support the RAC in both word and deed. The dramatic increase in Title II funding is perhaps the best example of this support. Overall county allocations to Title II have increased threefold, moving from just over \$400,000 in FY 02 to \$1.2 million in FY 05. Three county commissioners are RAC members and the two counties without direct commissioner participation discuss RAC activities with RAC members

from their counties. County concerns and priorities are heard by the RAC and the Forest Service and given serious consideration. One county commissioner said, "I do think that this [RAC] process has had some very good background benefits and development of a relationship with the agency. We get way more contact with our Forest Service people as a result of this."

The relationship between the RAC and the Forest Service is excellent. The Forest Service provides support, information, and assistance to the RAC. Suzanne Endsley, the RAC Coordinator, is not only given high marks for her performance in this role, but nearly every RAC member mentioned how important she is to the success of the RAC. Endsley coordinates all RAC activities, including scheduling and staffing meetings, organizing field trips, gathering project proposals, assembling briefing books, and assisting both the RAC chair and the Designated Federal Official in the operation of the RAC. Forest Supervisor Ranotta McNair, the Designated Federal Official, is also given high marks by RAC members and is involved in the RAC process. Idaho Panhandle National Forest district staff are also deeply involved in the RAC through bringing proposed projects to the RAC, lending technical expertise, and supervising projects on the ground. They conduct field trips and provide feedback to the RAC on the success of particular projects. Involvement of different levels of Forest Service staff both helps people better understand the agency and its work, and generates good will for the Forest Service. Interestingly, one Forest Service employee said that the RAC process creates a different way of looking at priorities for the Forest Service that benefit the agency as well as the public. What this individual is alluding to is an open communication process and agency responsiveness that, in turn, generates more public engagement and support. The forest supervisor felt that this legislation required the Forest Service to work with a broader array of individuals and organizations than it ordinarily would have in order for the RAC to succeed. She said that relationship building with a broader

community in the five counties was the greatest benefit of the legislation.

The Forest Service does not charge any overhead for its RAC organizing work. The agency allocates a small amount of RAC funds for meetings and field trips. This avoids RAC-Forest Service conflict over overhead costs. While the Forest Service organizes the RAC and receives the bulk of RAC project funds, the agency does not drive or dominate the RAC. Even though the vast majority of projects are Forest Service-generated and oper-

ated, RAC members feel strongly that the nature and the scope of projects are good and meet the intent of the legislation. The Idaho Panhandle RAC is comprised of many capable individuals with long-term community ties and strong visions of where they want both the RAC and natural resource management to go in the region. This strength will help the agency and RAC continue to improve RAC-Forest Service relations and, with a bit more effort, continue to expand relationships with other entities in the counties.

## Conclusion

Just under five years of implementation of P.L. 106-393 in the five-county Idaho Panhandle has resulted in a productively collaborative RAC, improved and effective county-Forest Service relations, and a declining Title III program with some questionable allocations.

As of this writing in late 2005, only two of the five counties retain a remnant of a Title III program. Title III funds have primarily been distributed through administrative allocation, and not through a formal and more open and competitive processes. Almost 60 percent of all Title III funds remain unspent, and have been reserved by the counties for emergencies or as “rainy day” funds. It is troubling that counties are retaining funds in this manner. Both internal allocation processes and reserving Title III dollars for future use appear inconsistent with the spirit and intent of the legislation.

Given a threefold increase in Title II from the first year of the program and the elimination of a Title III program in three of the five counties, this case study is mostly about the Idaho Panhandle RAC. The Panhandle RAC is a well functioning and effectively collaborative RAC. Participants get along well, leadership is strong and effective, and decisions are made as a group, and in a manner that is consistent with the legislation.

One area of criticism of this RAC and the Forest Service remains the lack of “outside” projects. The RAC is reliant on the Forest Service for pro-

posing and implementing the vast majority of its projects; a fact that has generated some concerns among RAC members, and led to some minor questions about distribution of funds in the region. Only 21 of the 139 projects are not Forest Service projects and, of these, 17 are county projects. Only four projects can be described as sponsored by “outside” or non-governmental organizations. Although the Forest Service appears to be doing a good job of guiding the RAC while being respectful of the RAC process and its role as a body responsible for recommending projects to fund through Title II, community outreach by the RAC and the Forest Service is needed to increase and broaden community participation. More visible or more widely distributed calls for project proposals appear to be needed. This will not only encourage a greater diversity of groups to get involved in RAC projects, but it could help more people learn about the successful work of the RAC and better understand some of the resource management issues in the area.

Refreshing about this RAC is not only its effective group decision-making process but also its focus on the region as a whole. RAC members are interested in seeing that their counties receive project funds equal to what their county has contributed to Title II, but this does not drive project selection. There are at least two reasons for this: 1) most of the project dollars are going to projects developed by the Forest Service, and 2) there is a history of

inter-county collaboration across the five-county region that precedes the formation of the RAC. The RAC has carried on the regional thinking that informed the creation of the Panhandle RAC in the first place. Successful previous collaboration offers a powerful foundation for a successful RAC. It by no means guarantees success, particularly given the new players and a new RAC process, but success appears to have bred success with the Panhandle RAC.

The overall conclusion of this case study is that, with the exception of Title III funds held and

the limited number of outside group involvement in projects, P. L. 106-393 is working the way Congress intended and hoped that it would. Good projects are being done and the federal lands and the communities near them are benefiting. The Forest Service is doing a good job with this RAC with its operation of the RAC and the quality of the projects it is sponsoring and implementing on the ground. RAC members have a vision for what they want the RAC to accomplish, and a commitment to the Idaho Panhandle region as a whole.

## **Interviewees**

Barbara Botsch, RAC Member, Historical Interests  
Jack Buell, RAC Member, Timber Interests, Benewah County Commissioner  
Maggie Colwell, Policy Analyst, Idaho Association of Counties  
Jon Cantamessa, RAC Chair, Local Elected Official, Shoshone County Commissioner  
Rob Davies, Forest Service Hydrologist  
Dan Dinning, Boundary County Commissioner  
Suzanne Endsley, Forest Service RAC Coordinator  
Pat Hart, Forest Service Recreation Specialist  
Greg Hetzler, Forest Service Recreation Specialist  
Sara Jerome, Forest Service Fuels Specialist  
Gus Johnson, RAC Member Labor Representative, Kootenai County Commissioner  
Senator Shawn Keough, RAC Member, State Elected Official  
Walt Kirby, Boundary County Commissioner  
Dick Kramer, Forest Service District Ranger, Sandpoint  
MariBeth Lynch, RAC Member, Mining Interests  
Bob McCoy, RAC Member, Environmental Interests  
Linda McFadden, Forest Service Deputy District Ranger  
Ranotta McNair, Forest Supervisor, RAC Designated Federal Official  
Jackie McVoy, RAC Member, Public At Large  
Patti Perry, Kootenai Tribe of Idaho  
Marsha Phillips, Bonner County Commissioner  
Michael Riapitti, RAC Member, Grazing Interests  
Neil Smith, RAC Member, Dispersed Recreation, Wildlife and Conservation  
Ron Smith, Boundary County Commissioner  
Robin Stanley, RAC Member, School Official  
Terry Steiner, RAC Member, Recreation Interests  
Ruth Watkins, RAC Member, National Conservation Group  
Peggy White, Shoshone County Clerk

# **Southwest Mississippi Resource Advisory Committee and Title III Case Study**

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<sup>1</sup> Jonathan Kusel and Nick Menzies conducted the field research for this case study.





## Background

The Southwest Mississippi Resource Advisory Committee covers eight counties with land in or adjacent to the Homochitto National Forest. The eight counties all have small, low-income populations—Amite and Franklin counties both rank among the 300 poorest counties in the country. Thirty-three percent of the forested land in Franklin County, and 22.3% in Amite County is public land. The proportion of public land in the other six counties in the RAC ranges from 0% (Pike County) to 11.9% (Adams County). Private forest land ownership is high in all eight counties, ranging from 100% in Pike County to 37.5% in Franklin County. The balance of forest land is in commercial, industrial ownership. Table 1 gives a breakdown of land ownership in the eight counties.<sup>2</sup> In the past, counties such as Franklin and Amite have depended on the federal 25% pay-

ments from harvesting on public land to cover the costs of running their school systems without having to resort to increasing the burden on a limited and fragile tax base.

Historically, timber has dominated the local economy for well over a century. The Homochitto National Forest was established in 1936 as Mississippi's first national forest, partly to counter fears of overharvesting and the exhaustion of forest resources in the state. Timber production on the forest remained steady at a relatively low level until the 1960s, after which it increased rapidly, reaching a peak in the 1990s, a trend matched on private and industrial landholdings in and around the forest. The total stumpage value of timber harvested in Amite County, for example, reached a maximum of \$1.09 billion in 1998, declining each year since then (Table 2).<sup>3</sup> In 2000, the highest level of harvesting

**Table 1. Ownership of Forested Land in the Seven Counties Participating in the Southwest Mississippi RAC.**

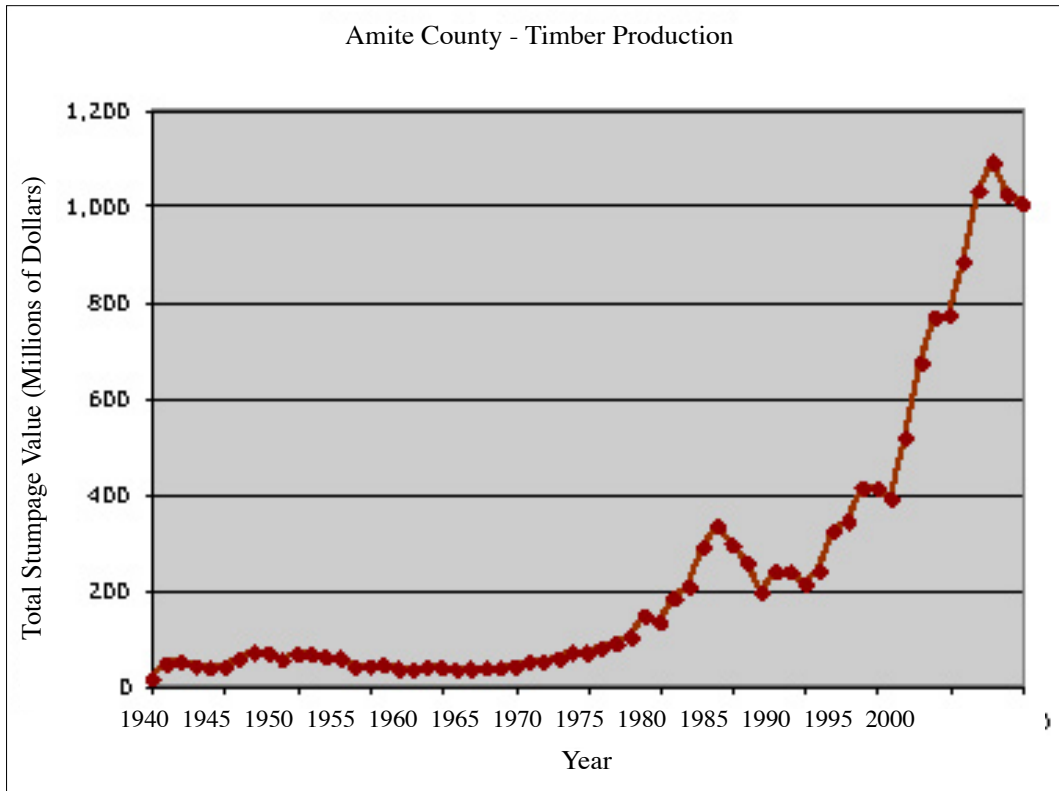
County	Total Forest Area (Th. Acres)	Public		Private Non- Industry		Industrial	
		Area	Percent	Area	Percent	Area	Percent
Adams	209.5	24.9	11.9 %	168.3	80.3 %	16.3	7.8 %
Amite	362.8	80.8	22.3 %	255.9	70.5 %	26.1	7.2 %
Copiah	381.9	24.8	6.5 %	266.6	69.8 %	90.5	23.7 %
Franklin*	322.4	106.3	33.0 %	120.8	37.5 %	95.3	29.6 %
Jefferson	261.7	12.8	4.9 %	176	67.3 %	72.9	27.9 %
Lincoln	265.1	12.7	4.8 %	234.7	88.5 %	17.6	6.6 %
Pike	171.5	0	0.0 %	171.5	100.0 %	0	0.0 %
Wilkinson	346.3	33.4	9.6 %	237.9	68.7 %	75.1	21.7 %
State of Mississippi			11 %		69 %		20 %

Source: Hartsell and London 1995

<sup>2</sup> Hartsell, A. J. and J.D. London. 1995. Forest Statistics for Mississippi Counties, 1994 Resource Bulletin SO-190. New Orleans, LA: USDA Forest Service. Southern Forest Experiment Station.

<sup>3</sup> Mississippi State University Cooperative Extension Service. 2005. Mississippi Forestry Estimated Value Historical Summary. Accessed (April 30 2005) at <http://msucares.com/forestry/economics/reports/history.html>

**Table 2. Amite County. Total Stumpage Value of Harvested Timber, 1940 - 2000**



Source: Mississippi State University Cooperative Extension Service 2005

in the state of Mississippi was on the Homochitto National Forest,<sup>4</sup> which accounted at the time for up to 66% of total forest payments to counties in the state.

The national forest is only one component of the timber economy in the area. Three mills still operate within 20 miles of Meadville, Franklin County. County forest associations represent the interests of private, non-industrial forest owners in and around the Homochitto for whom timber production is an important supplementary source of income. Although there is little old growth or mature regenerated forest in the area, forest cover is in fact increasing as private landowners convert grazing land and other agricultural land to forest.

Hunting and recreation are the most important non-timber uses of the Homochitto National Forest.

Deer and turkey attract hunters from throughout the state, as well as from neighboring states. Several campgrounds have drawn recreationists from large cities such as Jackson and New Orleans that are located within one to two hours driving distance of the Homochitto. The construction of Lake Okhissa on national forest land in Franklin County, together with associated recreation developments, have raised the hopes of many locals that the area's economy will boom, particularly in the service sectors, when the lake opens to visitors in 2007.

At the time of the passage of P.L.106-393, timber harvest levels on the Homochitto National Forest were still close to their historical peaks. Since then, however, legal challenges to Forest Service management practices and changing management objectives with a greater emphasis

<sup>4</sup> Lynn Corbitt, pers. comm.

on conservation and recreation, have combined to cause significant reductions in both the volume and the value of timber harvested. Many of the mandated changes in management are not limited to public lands. Legal rulings on the protection of habitat for endangered species such as the red-cockaded woodpecker (*Picoides borealis*), or measures such as enhanced watershed protection, have also affected the operations of private and industrial landowners with some impacts on the viability, at least of larger processing facilities. A Georgia-

Pacific mill in Gloster (Amite County), which had formerly employed several hundred workers closed in 2002, although it may be planning to open again, re-hiring labor at entry level wages, suggesting that the reason for closure may be cost-cutting rather than a scarcity of logs. While it is difficult to trace and to disentangle cause and effect in the forest products sector, recent reductions in harvesting and timber production have further depressed the local economy, which was already marked by one of the highest levels of poverty in the country.

### County Elections for Titles II and III

Only two counties in Mississippi, Amite and Franklin Counties, have allocated funds to Title II. All other eligible counties have retained payments received through the legislation in Title III. One county opted out of the program altogether, and stayed with the previous 25% system of payments. Table 3 shows how counties associated with the Southwest Mississippi RAC elect to allocate Title I,

Title II, and Title III funds.<sup>5</sup> It is worth reviewing the context and process of decision-making by which Amite and Franklin Counties decided to opt into the P.L.106-393 program and to allocate funds to Title II. Retracing this process gives some insight into the implementation of the legislation in Mississippi and suggests some reasons for the apparent lack of enthusiasm for Title II in the state.

**Table 3. Payments to Counties in the Southwest Mississippi Resource Advisory Committee 2005.<sup>6</sup>**

County	Total Payment	Title I Amount	Percent Title I	Title II Amount	Percent Title II	Title III Amount	Percent Title III
Adams	\$186,957	\$158,913	85 %	\$0	0 %	\$28,044	15 %
Amite	\$467,183	\$397,106	85 %	\$59,566	13 %	\$10,512	2 %
Copiah	\$95,781	\$95,781	100 %	\$0	0 %	\$0	0 %
Franklin	\$1,244,425	\$1,057,761	85 %	\$186,664	15 %	\$0	0 %
Jefferson	\$103,528	\$87,999	85 %	\$0	0 %	\$15,529	15 %
Lincoln	\$103,528	\$87,999	85 %	\$0	0 %	\$15,529	15 %
Wilkinson	\$293,206	\$249,225	85 %	\$0	0 %	\$43,981	15 %

Source: USDA Forest Service 2005

<sup>5</sup> USDA Forest Service 2005. Payments to States Web Page. Accessed March 10, 2005 at [http://www.notes.fs.fed.us:81/r4/payments\\_to\\_states.nsf/Web\\_Allocations?OpenView&Count=1000&Collapse=All](http://www.notes.fs.fed.us:81/r4/payments_to_states.nsf/Web_Allocations?OpenView&Count=1000&Collapse=All)

<sup>6</sup> Not including Pike County which has no National Forest land (see Table 1, pg 5)

The first decision the counties had to make was whether or not to move from the system under which they had received 25% of revenue generated from timber harvest on national forest land, to the secure payments under P.L.106-393. In contrast to the situation in many western states, there had, at the time, been few legal challenges to intensive timber harvesting on the Homochitto National Forest. Expecting continued high levels of harvesting, Franklin County initially considered retaining the original revenue receipt system. County supervisors and other interested parties learned about the new legislation from a number of different institutions, although, according to informants, they did not include the state of Mississippi itself. The Mississippi Association of Supervisors organized meetings for their members. The Mississippi Public Lands Council, a not-for-profit organization working for a sustainable future for timber production in the state, also held information workshops in counties to introduce the legislation and the options it offered. The Forest Service organized a statewide meeting with county supervisors and school boards. To follow-up, agency staff met with county supervisors to explain the legislation. Agency personnel were instructed not to favor any particular course of action in their presentations. These discussions at the local level seem to have been instrumental in encouraging all eligible counties to elect to receive payments under the new legislation, recognizing that sharp reductions in timber harvest were likely in the near future.

The decision of whether to move from the old, tried and tested system to the new was, however, difficult. On the Homochitto National Forest, the decision to take payments under P.L.106-393 meant that Franklin County experienced a reduction in revenue for the first few years following the introduction of the new system. Forest Service data estimated a payment to the county of \$2.26 million for the year 2000, based on the preceding year's harvest. Under the formula with the new bill, the county is now receiving an average of \$1.24 million each year. Opting for the formula under P.L.106-

393 led to a significant loss in revenue for the county during the first two years. Since then, with the decline in timber harvests on the Homochitto National Forest, P.L.106-393 has resulted in a net gain to the county. One county official stated that the initial reduction in payments was more than compensated for by the increased budgeting certainty brought about by the security of stable payments over the six years of the new program—very significant in a county with an annual budget of some \$4 million dollars.

The next step in decision-making was more difficult still. Even today, as the first six-year phase of the program draws to a close, there is limited awareness of the differences in intent and practice between Title I, Title II, and Title III. Nearly all of the people the research team contacted in and around the Homochitto National Forest and at USFS Region 8 offices in Jackson understood the difference between payments under the 25% system and under the new system—although, even in this case, a senior member of the Forest Service in Jackson frequently (though perhaps inadvertently), referred to Title I payments and payments under the 25% system as though they were the same. Informants were well aware, also, that county supervisors disburse Title III funds without requiring the approval of a federal agency, while projects using Title II funds are submitted for approval to a committee representing a range of interests in the county, and that they are disbursed through Forest Service channels.

Other than Forest Service staff, few people in counties had a clear sense of the different uses to which Title II and Title III funds could be put. To many county supervisors, forestry professionals, and members of the public, the distinction appears to be that Title III funds are to be used for educational purposes, and that Title II funds are to be used for road maintenance, upgrading facilities, or activities that directly improve the condition of the forest, such as watershed restoration and wildlife habitat improvement. Other possibilities such as the use of Title III funds for fire prevention or search and rescue activities, or the use of Title II funds for

forest stewardship, do not seem to have been well understood, much less discussed widely, although they do feature in a slide show on the Southwest Mississippi RAC web site.

When the board of supervisors in each county made their decisions over the allocation of funds between Title II and Title III, they considered the likely amount of payments they would receive, the relative complexity of procedures for approving projects, and the degree of control the county would retain over payments under each title. On the Homochitto National Forest, Franklin and Amite Counties both have large amounts of Forest Service land (33% and 22.3% respectively) and so receive significant total payments. This appears to have influenced their decision to fund both Title II and Title III programs. This was based on the belief that Title II funds could be used more flexibly on projects in their counties. The other counties with less national forest land (varying between 11.9% and 4.9%) receive smaller payments, and are less willing to invest the time and human resources that are involved in the RAC process—and to give up control of the funding (as they see it) to the For-

est Service. As one informant put it, “With Title III funds, the ... county receives a check every year. With Title II, the Forest Service holds project funds. Counties prefer to keep control of the funds, especially when payments are relatively small.” Some counties were also unhappy that Forest Service staff, not supervisors, would select members of the RAC according to the guidelines established by the legislation.

In the end, Franklin County received Title III payments during the first year (and have not yet spent the funds) but then allocated the full 15% (\$186,664 in 2005) of its non-Title I payments to Title II. Amite County allocates 2% of its payments (\$10,512 in 2005) to Title III and 13% (\$59,566 in 2005) to Title II (Table 3). The other five counties in the Southwest Mississippi RAC and all other forest counties in Mississippi except for one have chosen to allocate all their funds to Title III. The one exception is Wayne County, which initially chose to retain payments under the old 25% system for the first two years of the program, and then elected to move to the secure payments keeping all its funds in Title III.

### Title III Projects

Thirty-two counties in Mississippi receive payments under P.L.106-393. Twenty-two of these counties receive over \$100,000 per year in payments and have therefore allocated funds to Title II or Title III or a combination of both. Sixteen of the twenty-two have signed contracts with Mississippi State University (MSU) Cooperative Extension to use Title III funds for an Enhanced Forestry Education Program devised and implemented by MSU. Participating counties have agreed to allocate Title III funds to the program for the six years of the current legislation (one county, Perry County, renews the contract annually). The five counties on the Homochitto National Forest that have allocated funds to Title III participate in the program.

County supervisors reported that they had had little access to information about the various possible uses for Title III funds, and no opportunities to hear from counties in other regions about their uses of the funds. Many of them believed that Title III funds are to be used only for educational purposes—although presentations by the Forest Service, the Mississippi Public Lands Council, and MSU all outlined the various ways in which both Title III and Title II funds could be used. Looking for possible educational opportunities, supervisors responded positively when, in the words of a member of the extension staff, MSU “led a campaign to contract with counties for the enhanced program” with proposals for additional extension activities tailored to fit their budgets.<sup>7</sup>

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<sup>7</sup> MSU Extension Service maintains a web site as a source of information and communication with its partners. The section discussing the Title III program presents the options available to counties, making a strong case for allocating funds to Title III in order to avoid “counties losing direct control over how money is spent.” See: <http://msucare.com/forestry/titleiii/>

According to the MSU Extension Forestry associate for Southwest Mississippi, the Enhanced Forestry Education Program offers some thirty-three different activities including short courses, hands on training workshops, field days, a range of youth programs and scholarships, websites for participating counties, science fairs for children, and a range of publications and learning packages. Title III funding has allowed MSU extension to expand the range of activities it offers, adding Geographic Positioning System workshops; scholarships for schoolteachers to earn credit on forestry-related courses; a children's science fair; scholarships for children to attend wildlife camps; and "teachers' trunks" of teaching materials for use in local schools. MSU has also assisted some counties, including Amite County, to build and maintain a web site covering forestry issues and activities related to the Enhanced Forestry Education Program.

In the participating counties, MSU Extension staff work with county forestry associations to develop a needs assessment selecting from the various projects the program offers. They then present a working plan for approval to the board of supervisors with the possibility of an update or modification to the program at yearly intervals. Data from the "Enhanced Forestry Education Program" indicate that in the five southwestern counties associated with the Homochitto National Forest, the widest outreach to the public has been in the form of publications and activities to raise awareness of forestry issues, particularly in schools and among children. Short courses and workshops for forest landowners have been well attended, while technical demonstrations and tours of forestry activities on the national forest have proved to be less attractive.

There is no doubt that the activities offered in the MSU Enhanced Forestry Education Program

are an authorized use of Title III funds under the criterion of "Forest related educational opportunities." Reaction to the program in participating counties has been positive. Amite County supervisors felt that the program provided activities that the public valued, with some ability to tailor the program to their own needs in the course of annual discussions with MSU. At the same time, they indicated that they felt that they had to some extent lost control over the funds once they had signed a six year contract with MSU, forestalling the possibility of using Title III funds for other purposes.

It is perhaps surprising to find that counties facing severe financial constraints in all aspects of their activities committed all their Title III funds for a period of up to six years to an educational program, which complements an existing extension program, but leaves other forest-related commitments such as emergency services or fire prevention without funding. County supervisors, however, had little information about P.L.106-393 and were unaware of how Title III funds might be used for purposes other than education. MSU offered them a forest-related program tailored to fit each county's budget, that spared them the burden of soliciting and choosing between competing proposals, and of administering and monitoring grant activities—an important consideration in small counties with limited human resources. Where county supervisors have later learned of other possible uses for Title III funds, they have identified other activities which they might have chosen to fund. Fire prevention, and search and rescue services are of concern, for example, to counties on the Homochitto National Forest—but they are reluctant to take advantage of the option in their Memorandum of Agreement with MSU to terminate the arrangement, and feel that Title III funds are fully committed to the "Enhanced Forestry Education Program" for six years.

## Title II Projects

With six national forests on its territory and an active timber sector, there is still only one RAC in Mississippi, and only two of the seven eligible counties participating in the RAC have allocated funds to Title II. To date, the RAC has only approved three projects, two of which were approved at the committee's most recent meeting held on March 22, 2005. The first project (\$180,000), approved in 2003, was a road maintenance and improvement project in Amite County<sup>8</sup> associated with watershed restoration along half a mile of stream. Upon successful completion of the project, the RAC approved a similar road maintenance project at its March 2005 meeting. The \$86,000 requested for the project included \$26,000 left unspent from the previous project. The third project the RAC has approved is for planning and preparatory work leading to the design of a wastewater treatment and disposal system for the Okhissa Lake watershed in Franklin County. The project will use \$525,045, representing all of Franklin County's Title II payments since 2003, when the county switched from Title III to Title II payments.<sup>9</sup>

The following sections will briefly review some of the salient points concerning the three RAC projects approved so far, followed in the section on "RAC Formation" by reactions in Amite and Franklin counties to the experience of organizing and working with a RAC, as well as a discussion of why other forest communities in Mississippi have been reluctant to form RACs.

### Project Solicitation

The RAC has not received any proposals other than the three it has approved so far. The Amite County Board of Supervisors prepared and presented the two proposals for road maintenance, while the Okhissa Lake water treatment proposal came from the Okhissa Lake Sewer District—a nonprofit agency established for the specific purpose of securing

funding and planning for water treatment and waste disposal services at the lake. At the March 22, 2005 RAC meeting, the committee approved a member's proposal to form a sub-committee to discuss developing a proposal for an ATV trail on the forest, which would enhance recreation opportunities while reducing the conflicts that frequently flare up between residents and ATV drivers straying onto private lands.

The RAC has not received any proposals from the general public, nonprofit entities, or any other organization. Committee members and Forest Service staff working with the RAC all consider it very difficult to solicit proposals, although, opinions vary as to why. Amite County supervisors felt that in a rural area with a dispersed population, road improvement and maintenance are a high priority to all residents and there is a consensus that funds should be used for this purpose. In a similar way, residents of Franklin County have very high expectations that Okhissa Lake will have a dramatic and positive impact on the local economy, so that there has been a consensus among elected officials, RAC members, and the public that funds are best used at this time to ensure the success of the development. In the long run, county supervisors, RAC members, and Forest Service staff felt that more proposals could be expected now that three major projects had been approved and the public could see funds being used for the benefit of the community.

Some informants referred to other factors that might explain why the RAC has not received other proposals. With a small population and no large urban centers in Amite or Franklin Counties, there are few nonprofit organizations or civic associations that might request funds for projects of particular interest to them. Several people emphasized the importance of churches to communities in the area. Pastors have a lot of influence over their congregations. Church is where people meet and churches organize a wide

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<sup>8</sup>The project is incorrectly listed on the USFS web site as being in Franklin County.

<sup>9</sup> Franklin County was the only county that did not contract into the MSU "Enhanced Forestry Education Program."

range of community activities from cleanups to youth camps, hikes, and other recreational activities. To date, however, churches and church groups have not been a source of project proposals. Furthermore, there is a widespread reluctance to be involved with the federal government and its agencies, reinforced by the complexities of the contracting process and the need to carry out relevant studies and take necessary measures to comply with regulatory requirements affecting project activities.

### **Project Review, Prioritization, and Selection**

Prioritization of projects is not yet an issue since the RAC has only received proposals for the three projects it has approved. So far, there has been no need to decide between competing projects. Committee members in the March 2005 RAC meeting raised questions about the Okhissa Lake project. Their questions, however, did not challenge the project itself, but concerned the best strategy to be adopted in realizing the objective of waste treatment and disposal. All those present recognized the importance of reliable roads and accepted Amite County's proposal without any dissenting votes. The readiness of RAC members to establish a sub-committee to discuss the idea of an ATV trail suggests a future role for the RAC in helping to find common ground between the different interests of conservation, recreation, and local residents' concerns about the quality of life.

The consensus around the importance of road maintenance and the Okhissa Lake development has so far defused concerns about the voting procedures mandated under P.L.106-393. It is not clear, however, either to RAC members or to Forest Service staff, exactly how the committee would ensure "The approval of the majority of the members of each of the three membership categories of the RAC," as required in the event of disagreement over a project proposal. Committee members from Amite and Franklin Counties are particularly concerned that in the future, projects might be approved that benefit other counties represented on the RAC that have not allocated funds to Title II. They were quite firm that if such a situation were to arise, they would consider a legal challenge. On the other hand, they did also

feel that with the RAC now approving highly visible projects, more counties might switch some of their Title III funds to Title II.

### **Approved Projects**

For Amite County, roads are a vital communications link in a sparsely populated area where most roads between communities run through national forest land. As the local economy shifts from timber to recreation, road improvement and maintenance are essential to attract hunters and, increasingly, equestrian and other forms of non-motorized recreation. County officials were also pleased that, with RAC funding, it was possible to link road building to watershed rehabilitation, which they recognized was critical to the stability of riverbanks, and to protecting the road and a bridge, which were otherwise at risk of being washed out in the next heavy rainfall. County supervisors and other county residents on the RAC were very satisfied with the outcome of the project, but felt that the procedures for approval and implementation were difficult and cumbersome. They were confident, however, that the process would be easier for the second project approved at the March 22, 2005 RAC meeting.

Satisfaction with the success of the road project and the decision to allocate RAC funding to further road maintenance and the Okhissa Lake sewage project do not hide concerns about the way funds are allocated, and the uses to which they have been put. First of all, county officials would like to see better linkages between Title II and Title III projects—which will only be feasible if more counties allocate funds to Title II in the future, and if Franklin County allocates a portion of its payments to Title III. Secondly, counties are concerned that where matching funds are required, their weak tax bases will make it very difficult to find the funds. Finally, some members of the RAC questioned whether Title II funds should be used for construction projects, which they felt should be carried out with other funds from county budgets. They felt that Title II funds ought to be of wider benefit to the forest and community, and suggested that there should be more educational activities for schoolchildren.



## **RAC Formation, Operation, and Process**

### **RAC Formation**

In implementing P.L.106-393, the Forest Service Region 8 made a decision that there would be three RACs for the six national forests in Mississippi. The State does not appear to have been involved in the decision. According to Forest Service staff, the decision was geographic and based on the size of forest counties. Since many of the forest counties here have very small populations, Region 8 felt that it would not be appropriate to set up one RAC in each county. Initially, the proposal was for just two RACs for the whole state, but following the advice of Forest Service staff in Mississippi, the final decision was for three. While the concern about county size is understandable, the decision, made without consultation with eligible counties, almost certainly reinforced the suspicion that the Forest Service controls the RAC process and Title II funds, if not the whole program, and it is likely to have diminished counties' interest in allocating funds to Title II. The decision is certainly responsible for the potentially problematic situation in the Southwest Mississippi RAC where only two counties contribute funds while all eight participating counties could, in principle, benefit from RAC collaboration and project support. In the event that the legislation is renewed, it would advance the objective of improving relations and trust between the agencies and communities to adopt a more participatory and collegial approach to decisions about RAC formation.

On the Homochitto National Forest, the Designated Federal Officer (DFO) and the RAC coordinator worked intensively to assemble a RAC that would represent all interest groups, as well as the ethnic and cultural diversity of the area. They followed the established guidelines for the three interest categories as well as the procedures outlined under the CRIA (Civil Rights Impact Analysis) process, including mailings to schools and colleges serving minority groups, to minority owned businesses, to local churches, and to the

two federally recognized Native American tribes in Mississippi. The coordinator sent out 1,200 letters to individual contacts asking if they personally would wish to participate in the RAC, or if they could recommend a suitable candidate. Thirty people replied, from which the coordinator and the DFO made the final selection for approval by the Secretary of Agriculture in Washington DC.

In Southwest Mississippi, it has proved difficult to find a representative and diverse group of volunteers to commit to taking part in the RAC process. One obvious cause of difficulty is that all eight counties have small populations, making for a small pool of potential committee members in the first place. Equally important is the difficulty in matching some of the categories—clearly designed for western states—to the context of rural Mississippi. In category B, for example, there is little reason in a state such as Mississippi to insist on a representative of wild horse and burro interests. In fact, despite efforts made within the eight counties, the DFO and RAC coordinator received no responses from any environmental groups and were obliged to reach out to representatives of national organizations in Jackson—the only two members of the RAC not from one of the eight Homochitto counties. While there is no question that representatives of a range of environmental interests are essential for a RAC to operate as a credible forum for all those with a legitimate interest in management of the forest, it will be difficult for southern and eastern states to take the concept seriously without some adjustment in the categories to fit local contexts. Finally, several people involved with organizing the RAC noted that once an appropriate and representative group is identified, there is still a cumbersome process of getting the committee approved by the Secretary of Agriculture in Washington DC. Nevertheless, having received approval for modifications to some of the categories of interest, the Southwest Mississippi RAC does appear to represent a good

cross-section of the population and interests in the counties.

Given the difficulties in forming a RAC, it is interesting to consider why Franklin and Amite counties decided to allocate funds to Title II. Personal commitment was a critical factor on the part of the DFO on the Homochitto at the time, and on the part of the RAC coordinator who had seen such groups during her previous posting in Montana. The DFO and the coordinator were able to convince county supervisors, the chancellor clerk, and the county counsel in both counties that Title II funds would allow them to carry out projects that they wanted for their counties. Supervisors in Amite County also made a very important observation in terms of local democratic practice. In their view, the RAC process is a mechanism to ensure that the public is a part of funding decisions affecting their lives, and that with input from all interest groups, they, as supervisors, could be confident that funds were truly being used in the public interest. As representatives of local government in a forest community, they also believed that income from the forest should be returned to the forest.

Officials in Amite and Franklin Counties did have access to information about Title II funding to help with their decision, but almost all of the members of the RAC from the general public seemed to have known nothing about the legislation and the functions of a RAC until they were contacted as possible committee members. After they had accepted, the first few meetings of the RAC were dedicated to informing them about their responsibilities and the functions of the RAC.

### **Operation**

It has taken a long time for RAC members to come to understand their roles and responsibilities as members of the committee. Over several meetings, they learned how the legislation operates, and what can and cannot be funded. As discussed above, the RAC had only approved one project before its March 2005 meeting. Only since 2004 have any projects been presented for approval. Reasons for the small number of projects presented

to the RAC for approval are discussed above.

The procedures under which the committee operates seem to be functioning smoothly now. At the March 22, 2005 meeting, the RAC followed the agenda, voted and made decisions. Some questions could arise in the future on the voting procedures, such as the requirement for agreement by all of Groups A, B & C. In the case observed, there were only two dissenting votes over one of the projects (the sewage system for Okhissa Lake), each from different groups, both of which were from outside the two Title II counties. RAC members have shown themselves to be willing to contribute time to committees looking into possibilities for new projects, terms of office, and selection procedures for new members. There was some question as to exactly what the committee was voting for in the case of the Okhissa Lake project with some misunderstanding over whether the vote was for a preliminary study or for the whole project. This confusion led to some discussion after the vote.

So far, RAC activities have been limited to committee meetings. The committee has not organized any field trips to visit projects or proposed projects. The DFO and the coordinator did propose that it might be useful to organize a field trip to Amite County to see the road maintenance project approved the previous year, and also—regarding the suggestion to use RAC funds for an ATV trail—to visit forests that have had to deal with ATV recreation. The committee agreed to both suggestions.

### **Public, Agency, and Interest Group Relationship Building**

Everyone recognizes the broad and inclusive composition of the RAC as important. The Forest Service is acutely aware that the RAC process represents the best hope for an institutionalized approach to limit conflict and challenges to forest management activities on the forest. County supervisors in Amite and Franklin Counties see that broad representation gives legitimacy to RAC decisions. Other RAC members also believe that the effort to be inclusive is valuable. The chair

of the RAC told the research team that, “It is sometimes difficult to fill the slots, but we need the cross-section, otherwise there will be criticism and attacks on what the RAC decides.” Another, initially skeptical, member said that, “The process has made a believer of me. I’ve made a turnaround on that. I see the value.”

Until recently, there has not been much conflict between interest groups in Southwest Mississippi. Local residents have disagreed with the Forest Service on some aspects of forest management, but legal challenges to management actions are a recent phenomenon (the first serious lawsuit against the Forest Service on the Homochitto National Forest was in 2003). Nevertheless, issues related to endangered and threatened species habitat have emerged as a likely area of conflict. The RAC includes representatives of national environmental interests from outside the area and, so far, the projects proposed for funding have not caused controversy. A representative of one of the environmental organizations is serving on the sub-committee considering the idea of funding an ATV trail, suggesting that the RAC is becoming a forum in which different interests can work together and avoid or limit the kind of destructive conflicts that are so prominent in other places. It is important to note, however, that the situation looks a little less positive from the Forest Service office in Jackson, where the staff officer working with the RAC said that in the whole of Region 8, there seem to be as many appeals against Forest Service decisions today as in the past—except on a few forests that do not have a RAC. He felt that it is perhaps still too early to see the impact of the RACs, or alternatively, that the few RACs in the region may be on forests that are more subject to conflict than others in the first place, and it could be that without the RACs there would be even more appeals than there are now.

It bears repeating, however, that in Mississippi, Title II funds and RACs are perceived as belonging to the realm of federal government, and controlled by agency staff. The long established preference for local control and decision-making may be a factor

in the limited interest in Title II funding—although, ironically, the RAC is one institution in which local people do have an opportunity to have direct input into the decisions of a federal agency. Nevertheless, the Okhissa Lake sewage project seems to have raised the question of Forest Service control in some people’s minds since the final decision on whether or not the project could be funded with Title II funds hinged on whether the project was classified as “new construction” or “improvements to the watershed.” While the contract officer in Jackson was justifiably concerned with ensuring that the project would fit the criteria outlined in the legislation, the decision appeared to people in the affected counties to be in the hands of a Forest Service official in Jackson, not in the hands of the RAC.

### **County-RAC-Forest Service Relations**

On the surface, relations are excellent. County supervisors and RAC members all had sincere praise for the efforts of local Forest Service staff in outreach, and in working to ensure that the RAC functions effectively.

Below the surface, however, a legacy of suspicion between communities and the Forest Service contributes to continued tensions. Several people referred to the history of national forests in Mississippi, emphasizing that they were first established to maintain and protect forest cover in a state where industry had cleared large areas. In the eyes of local residents, the Forest Service then took to using taxpayers’ dollars for large-scale clearcutting and restricted access to parts of the forest that they had traditionally used.

The most sensitive issue in the RAC and its formation is the issue of entitlement to use of Title II funds. It is hard for the two counties that have allocated funds to Title II to accept the notion that these funds are RAC funds—for use on projects in the entire RAC area, not just in the geographic area of their county or adjacent Forest Service land. Rightly or wrongly, this is seen as a redistribution of county funds imposed by the Forest Service. Some informants warned that there could even be

legal challenges to the decision in the event that the issue should come up. There was less vehement opposition from some county supervisors who felt that the composition of the RAC would ensure that any approved project would at the very least have to be one that benefited all counties even if a non-Title II county proposed it.

Nevertheless, the RAC does seem to have opened a new channel of communication and col-

laboration between the community and the Forest Service. Even those with criticisms say that the RAC has created a rare forum for dialogue: "This is the first time that there has been a chance for an exchange with the Forest Service. [Usually] when they want to do something, they do it without consideration for local people. There are people who take advantage and break the rules, but not everyone. They should not treat us all as offenders."

### **Lessons from the Southwest Mississippi RAC**

Only two counties in Mississippi have elected to receive payments under Title II of P.L.106-393, and the process of establishing the one RAC in the state has been slow and, at times, difficult. A complaint heard at all levels, from the Forest Service staff in Jackson, to members of the RAC representing the general public is that, "The legislation is messy because of the difficulty in deciding what can and cannot be funded under the different Titles." Another concern has been the degree of control exerted by the Forest Service over a process that is intended to give communities and other interest groups a voice in decisions about the use of revenue from the forests.

In the case of Mississippi, a number of factors influenced the implementation of P.L.106-393. These include exposure of elected county officials and the relevant interest groups to information about the legislation and its implementation; concerns about the degree to which a Federal agency (the Forest Service) controls Title II funds; the lack of recognized, authoritative channels to resolve questions about the implementation of the payments program; continuing uncertainty about acceptable uses of both Title II and Title III funds; and difficulties experienced by small, economically fragile counties in meeting some of the requirements of the legislation for representation, administration, and financial participation. This section breaks these concerns into six issues that merit consideration in debate over the possible renewal of and adjustments to the legislation.

1. The decision to establish three RACs in the state of Mississippi and the counties to be represented on the RACs was taken without consultations on the ground, apparently for geographical and logistical convenience. This has only reinforced suspicions that the Title II process is controlled by the Forest Service, making counties more reluctant to elect for Title II payments. The decision has led to the potentially troublesome issue of only two out of eight counties in the Southwest Mississippi RAC contributing funds, while under the principle that funds are RAC funds, not county funds, non-Title II counties might benefit from funds put in by the two Title II counties. This unsatisfactory situation suggests the need for careful planning in deciding how to form a RAC. Geographical convenience may not be the best strategy. Forest Service staff recognize that more counties might pick the Title II option, and there would be more RACs if counties had some say in forming their own groupings with other counties and if they had a greater say in picking RAC members.

2. There is less appreciation for the value of an institution like a RAC in a context where conflict over uses of public lands has not reached the levels seen in the West—and where active forest management for timber is the norm among residents. MSU extension staff—and other informants—suggested that one reason that many counties opted for Title III is that there is little sense of a pressing need to bring conflicting interests together, so the preference is to allocate funds to an action-oriented program where

county supervisors have direct control over funding decisions. Nevertheless, county supervisors in the Title II counties see the diversity and powers of the RAC as a strength and “a way to make sure that the money serves the community.”

3. There has been very limited backup in terms of information and communications about implementation of P.L.106-393 and especially about the different categories of funding—including Title I. The local press has been active, but it is limited in scope. The Internet and the web are not widely used so that circulating information (such as the Frequently Asked Questions and information on the USFS web site) through a web site does not reach a very wide audience. There may be a role for an independent entity to act as a source of information with newsletters, staff on call to answer questions, and other sources of information about what is and is not possible, as well as what kinds of projects are being tried in other regions and communities.

A possible channel for disseminating information might be the National Association of Counties (NACO), but the association’s efforts in relation to P.L.106-393 have not, to date, focused on implementation at the county level, and several counties involved in the Southwest Mississippi RAC are not members. The Mississippi State Association of Supervisors did organize some information sessions about the legislation, but has not been an active source of information and advice for some time now. Members of the RAC who attended the RAC meeting in Reno, Nevada (April 14, 2005) found it to be a rare and valuable opportunity to learn more about what other counties have chosen to do with their funds.

4. The lack of readily accessible information means that in the absence of clear guidance, discretionary decision-making is unexpectedly common. When it is not clear what is or is not allowable under the legislation or under Forest Service contracting regulations, there are no clear channels for clarifying and reaching a decision so that the DFO or Forest Service coordinator, or the contracting officer has to

come to a decision depending on his or her interpretation of the rules. For example, a bottleneck in approving the sewage project in Franklin County was due to different interpretations of whether or not it is a new structure (and therefore not authorized). While few would contest the importance of flexibility in interpretation (finding an alternative to wild horse and burro interests in RAC membership, for example), discretionary decision-making is less positive.

In case of doubt, staff resort to informal contacts in other regions or sections in the Forest Service. When someone with knowledge and experience of the payments program leaves, there is a vacuum in that office or region. To compound the problem, county supervisors and members of the RAC do not have access to the same contacts and are left with few opportunities to learn what others have done, forcing them to rely on interpretations from Forest Service staff, compounding the sense that the Forest Service, in fact, controls the functioning of the RAC.

5. Social capital is an important driver of RAC activities. Counties with small populations have difficulty finding people to fill all the slots on the RAC committee (and some of those slots are clearly not relevant to the region). Soliciting proposals is not easy—although it might be easier with a better understanding of what funds can be used for and outreach to less conventional “forest-related” stakeholders such as churches. The details of design, planning, and assessments also represent a challenge to counties with limited human resources. Under the circumstances, county supervisors found it easy to accept the proposal from MSU, which took the burden of organization off their shoulders—but which has limited the scope for more innovative approaches to issues facing Mississippi forest communities.

6. The Forest Service is struggling to put supportive systems and procedures in place to implement the Title II process in Region 8. The program is not well understood in the region, and staff have found that implementation of the program demands more human resources and time than they had

expected. At a time when Forest Service financial systems are being reorganized and centralized, contracting staff, for example, feel overburdened by RAC projects. Lines of authority and administration in Region 8 make implementation more complex than in some other regions. In Mississippi, there is one supervisory district in Jackson for all six national forests with one set of staff responsible for decisions and actions covering all six forests. In most other regions, for example, one grants and

agreements coordinator may be responsible for one or two forests, whereas in Mississippi, one coordinator is responsible for all six forests. In addition, cooperative agreements have to be processed through the regional office in Atlanta, Georgia. Even if authority were to be devolved to Jackson or to the Homochitto National Forest itself, Forest Service informants worried that there is no dedicated staff or budget to work with the RAC, or with any RAC that may be established in the future.

## Conclusion

Counties involved in the Southwest Mississippi RAC have welcomed the security and predictability that have come under P.L.106-393. A few timber dependent counties faced a reduction in payments during the first year or two under the new system, but they recognize that the timber economy is shrinking and that payments now are higher than what they would be receiving under the former 25% rule. The Southwest Mississippi RAC has been slow in formation and it has taken some time for members to feel confident both in the process and in the commitment of representatives of the different interests on the committee. They recognize, though, that the RAC is a valuable forum in which to enter into a dialogue with other interest groups and with the Forest Service. They are confident that the three projects approved so far will benefit both the counties and the forest that they share. The Enhanced Forestry Education Program that MSU has offered to counties meets the criteria for Title III funding. It is somewhat disturbing, though, that many counties considered it too cumbersome to devise their own programs and procedures to manage and disburse funds, and chose instead to allocate their Title III payments to a program designed and proposed by a third party.

Mississippi's experience in implementing P.L.106-393 suggests that where payments are relatively small, counties are inclined to keep control of the funds themselves, and they also prefer not to have to invest much time and significant human resources to use and manage the funds.

This has made it attractive to put all funds into Title III and to delegate expenditure and organizing to the Enhanced Forestry Education Program that MSU offered to eligible counties. While such contractual arrangements may be a rational choice under the circumstances, the decision to contract all Title III funds for six years to the program has limited counties' incentive to explore and test more innovative programs, or to support activities such as fire protection and search and rescue operations.

A constant refrain among elected officials, members of the public, and Forest Service staff has been that they have difficulty in finding out just what they can and cannot do under the legislation as it is currently written. There is no formal process for review and final decisions. An "Implementation Guide" for P.L.106-393 circulated by the Forest Service states: "The assumption in this White Paper is that there is a baseline knowledge of the authorities that will be discussed below." In Mississippi, at least, this did not appear to be the case even among quite senior Forest Service staff where Title I payments were sometimes referred to in conversation as though they were the same thing as the earlier 25% payments, where it was not clear whether refurbishing the sewage system at the lake qualified for a RAC grant under the legislation, or where contract officers found themselves having to innovate to develop contracting procedures that could meet the needs of projects approved by the RAC, while still following established regulations.

## Southwest Mississippi Resource Advisory Committee and Title III Case Study

Finally, there are many aspects of the implementation of Title II funds, in particular, that reinforce at least the appearance and perception of an unwarranted degree of agency control. If one objective of Title II and the RAC process is to build more collaborative relations between the Forest Service, forest communities, and the various interest groups concerned with forest management, it would be useful to revisit the way in which decisions are made about the number and location, and even the composition of RACs, as well as to make the process of approval for RAC members and RAC approved projects less cumbersome than it is today.

## **Interviewees**

Cindy Ashmore, RAC member, Meadville

Gordon (Don) Bale MSU Extension

Delton Butler, RAC Chair. Meadville

Consandra Christmas, Wilkinson County Board of Supervisors, Woodville

George Collins, RAC member, Chair of Franklin County Board of Supervisors. Meadville

Lynn Corbitt, Staff Officer, US Forest Service, Region 8. Jackson

Mike Harper, Grants and Agreements Coordinator, US Forest Service. Region 8. Jackson

James Jones, Franklin County Chancellor Clerk, Meadville

Mary Bell Lunsford, RAC Committee Coordinator, Homochitto Ranger District

Stephen Oglesby, RAC member, Mississippi State Forestry Commission, Meadville

Timothy Reed, Designated Federal Official, District Ranger, Region 8, Bienville Ranger District

Rebecca Robertson, RAC member, Meadville

Dale Sterling, President, Board of Supervisors, Amite County

James Toorey, Franklin County Attorney, Meadville

Jackie Whittington, Amite County Board of Supervisors, Liberty



# **Siskiyou County Forest Service Resource Advisory Committee and Title III Case Study**

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Sierra Institute for Community and Environment



<sup>1</sup> Juliet Christian-Smith and Nick Menzies conducted the field research for this case study.



## Background

Siskiyou County is located in inland northern California, adjacent to the Oregon border. It is the fifth largest county in California by area, but has a 2005 population of only 47,500.<sup>2</sup> More than 60% of the land within the county is federally managed—most of it in the Klamath and the Shasta-Trinity National Forests, but the county also encompasses portions of the Modoc, Rogue River, and Six Rivers National Forests. Siskiyou County was once one of the most productive timber counties in California and therefore receives the highest annual payments in the state under P.L. 106-393, averaging \$9.1 million per year. Fifteen percent of this total is being allocated to Title II and Title III. For three of the four years that the Resource Advisory Committee (RAC) has been in existence, the county has chosen to divide the 15% evenly between the two titles.

Throughout most of the nineteenth and twentieth centuries, Siskiyou County's economy was based on natural resource extraction (primarily mining, fishing, and logging) along with agricultural production. The most recent down-turn in the county's economy began in the mid to late 1980s as the decreased availability of large-diameter timber, lawsuits brought by local and national environmental groups, implementation of the Northwest Forest Plan, and reduced budgets all forced the Forest Service to reduce timber offered for sale. The Klamath National Forest annual sale volume fell from a 1990-1994 yearly average of 66 million board feet (mmbf) to five mmbf in 2000.<sup>3</sup> In recent years many of the timber mills in Siskiyou county have decreased hours or shut down completely. The remaining mill operations in the county include Roseburg Forest Products and Timber Products, both of which operate veneer mills.

In addition to timber, agricultural production is important to the county's economy. Within the last

10 years, agricultural water usage has come under increasing scrutiny. Much of Siskiyou County lies within the Klamath River watershed, which encompasses 15,600 square miles of northern California and southern Oregon. The Klamath River has several endangered fish, triggering federal protection under the Endangered Species Act (ESA). In 2001, federal agencies cut off the flow of irrigation water to 1,400 farms in the upper Klamath basin to protect habitat for these fish. In the aftermath of this decision, thousands of affected farmers and their neighbors rallied in protest. While the decision only directly affected farmers in the town of Tulelake in Siskiyou County, it raised the stakes in a decade-long controversy between farmers, fishers, and Indian tribes over the management of the watershed. It also led to increased state and federal oversight of the area's river systems.

Much of present-day Siskiyou County incorporates the major portions of the historic territories of the Karuk, Shasta, and Winnemem Wintu Tribes. The American Indian population today makes up almost 4% of the county population, double the statewide average,<sup>4</sup> with some rural areas containing much higher percentages. The tribes are not only an important part of the social and economic fabric of the region, but they also each have unique relationships and claims to natural resources. Salmon were a staple of the diet of many of the Indian tribes in the region.

The Karuk were federally recognized in 1979 and today have over 3,300 enrolled members. The tribal headquarters are located in the town of Happy Camp, where the Karuk maintain an important local presence that extends beyond the tribe. Since the early 1990s, the Karuk tribal government has grown from three employees and an annual operating budget of approximately \$250,000 to more than

<sup>2</sup> Center for Economic Development, California State University, Chico. 2005. Annual County Economic & Demographic Profile Series, Siskiyou County.

<sup>3</sup> Forest Community Research. 2002. Northwest Economic Adjustment Initiative Assessment. Available online at: [sierrainstitute.us](http://sierrainstitute.us)

<sup>4</sup> Lopez, Alejandro. 2002. The Largest American Indian Population in California: Household and Family Data from the Census 2000.

75 permanent employees, 25 seasonal employees, and an annual budget of approximately \$12 million. They are now one of the largest employers in the mid-Klamath River region.

Another federally recognized tribe and locally important Indian community is the Quartz Valley

Indian Reservation, located in Scott Valley. The reservation was established for Shasta, Karuk, and Upper Klamath Indians,<sup>5</sup> and is one of the major employers in rural Quartz Valley with an annual operating budget of roughly \$1 million.

## County Elections for Titles II and III

Though Siskiyou County has evenly divided 15% of the total P.L. 106-393 payment between Titles II and III the last three years. The county allocated only 25% of the first payment to the RAC and Title II projects, reserving 75% for Title III because the board of supervisors were unsure of the role and effectiveness of the newly-created RAC. Even with a 50/50 split, title III funds total nearly 10% of the

county budget. The County Administrator indicated that this division of funds may be changed again in the next fiscal year with the Title III total increasing to offset the increase in county expenses. He is suggesting allocating 43% to Title II and 57% to Title III to cover the increase. This was approved by the board of supervisors in August of 2005.

## Title III Projects

There is no formal call for proposals and project selection process for Title III projects in Siskiyou County. Instead of a Title III project proposal solicitation and review process, the county administrator rolls Title III funds into the county budgeting process and reports expenditures under the six categories listed in the legislation: (1) search and rescue/emergency services, (2) community service work camps, (3) easement purchases, (4) forest related educational opportunities, (5) fire prevention and county planning, and (6) community forestry. The county holds a public meeting to approve the proposed allocations, but currently there is no means for organizations and individuals to access Title III monies.

The highest percentage of Title III expenditures each year have been made in the category of emergency services (as high as 74% in FY 2004). These funds have been dedicated to the Office of Emergency Services, water safety, the county fire department, and the sheriff's office. The sheriff's

office receives funds specifically for search and rescue and air support, along with general operating support. The second largest category of expenditures is fire prevention and county planning. These expenditures are for activities and services associated with planning on federal lands, the county fire department, the Local Agency Formation Commission (LAFCO), predatory animal control, and clerk and board members' salaries. Each year, planning efforts on federal lands and/or the county fire department receive the highest allocation. During the first year of P.L. 106-393 the county used Title III funds to pay for portions of supervisor and clerk salaries (totaling \$40,460). These are listed below in a category called "other" because they do not comport with the designated categories of expenditures. In addition, the Title III funds used to offset Payment-in-Lieu-of Taxes (PILT) funds that were lost as a result of Title III funding (totaling \$80,048) and funds used for predatory animal

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<sup>5</sup> United States Department of the Interior, Office of Indian Affairs. 1939. Constitution and By-laws of the Quartz Valley Indian Community, California. Washington, D.C.: U.S. Government Printing Office (June 15).

**Table 1. Title III Expenditures since FY 2002.**

Title III Expenditures	FY 2002	% of total	FY 2003	% of total	FY 2004	% of total	FY 2005	% of total
<b>Emergency Services</b>								
Office of Emergency Services	\$72,712		\$33,155		\$54,878		\$38,332	
Water Safety	\$7,238		\$25,275		\$13,489		\$10,915	
Co. Fire	\$168,690		\$75,369		\$195,182		\$163,544	
Sheriff	\$199,008		\$244,593		\$212,910		\$206,296	
Search & Rescue	\$16,557		\$16,639		\$7,213		\$7,862	
Air Support	\$12,000		\$6,461		\$7,603		\$18,467	
subtotal	\$476,205	47.8%	\$401,492	58.8%	\$491,275	71.6%	\$445,416	65.2%
<b>Community Service Work Camp</b>	\$0		\$0		\$0		\$0	
<b>Easement Purchases</b>	\$0		\$0		\$0		\$0	
<b>Education</b>	\$0		\$0		\$0		\$0	
Museum	\$3,000		\$3,000		\$0		\$0	
subtotal	\$3,000	0.3%	\$3,000	0.4%		0.0%		0.0%
<b>County Planning &amp; Fire Control</b>								
Planning (on federal lands)	\$197,475		\$98,169		\$0		\$15,290	
Co. Fire	\$168,690		\$75,369		\$195,182		\$163,544	
LAFCO	\$15,372		\$17,547		\$0		\$0	
subtotal	\$381,537	43.9%	\$191,085	40.8%	\$195,182	27.9%	\$178,834	34.8%
<b>Other</b>								
Supervisor Salary	\$5,916		\$0		\$0		\$0	
Clerk Salary	\$34,543		\$0		\$0		\$0	
Predatory Animal	\$15,107		\$87,265		\$0		\$58,707	
Offset of PILT losses	\$80,048		\$0		\$0		\$0	
subtotal	\$135,614	4.1%	\$87,265	0.0%	\$0	0.0%	\$58,707	0.0%
<b>Community Forestry</b>	\$0		\$0		\$0		\$0	
<b>TOTAL</b>	<b>\$996,356</b>		<b>\$682,842</b>		<b>\$686,457</b>		<b>\$682,957</b>	

control (totaling \$161,077) are also categorized as “other” because it is unclear as to which category these expenditures might “fit.”

Siskiyou County’s Title III expenditures are all accomplished through administrative allocations. The county has dedicated the majority of its Title III funds to categories in the legislation, but for some projects there is little to no data available regarding the connection between an expenditure and its category and a discrete project outcome. Hence,

expenditures on salaries for county officials, raise questions about whether they fit legislated categories.

As administrative allocations, county distribution of Title III funds does not include a call for proposals, nor does it solicit projects from entities beyond its own administrative offices. Allocations are made internally as part of the county budget process. The legislation does not expressly prohibit Title III administrative allocations, but it does call for Title

III *projects*, taken here to mean what it does in Title II: involving a solicitation or call for proposals that include a stated purpose, objectives, and discrete actions associated with a budget. Anyone may apply, and funding decisions are based on a competitive review process. Siskiyou County has published lists of proposed Title III expenditures for a 45-day comment period, which comports with the requirements of the legislation. There is clear distinction, however, between project notification and solicitation of pro-

posals. More importantly, the use of Title III funds to close critical gaps in the county budget, as reported by some officials, comes at the expense of a more open process that excludes parties outside of county administration. Given the many groups and diversity of proposals that are part of Title II, a more open Title III grants program would likely be utilized by numerous groups and better fit with the spirit and intent of the legislation.

## **Title II Projects**

As of August 2005, the Siskiyou County RAC had recommended 78 projects, allocating a total of \$1,979,346. The RAC receives roughly \$600,000-\$700,000 per year in Title II funds. Fuels management and fire prevention projects are the most numerous and account for 26% of the total funds allocated. Yet, there is a wide variety of project types. These are discussed in more detail below.

### **Project Solicitation**

The RAC actively solicited projects at the time of its formation. At that time, the RAC coordinator sent press releases to local papers and held several workshops explaining how to apply for project funding. Bill Turner, current co-chair of the RAC, along with other RAC members, conducted these workshops with the public to explain Public Law 106-393 and the process of applying for RAC funds. A website was created to allow online project proposal submissions, which are compiled by the RAC coordinator. The success of this and subsequent work is reflected in the fact that only one in four or five proposals are funded. Though perhaps frustrating to applicants, the low proportion funded suggests that the RAC may recommend higher quality projects for funding.

In addition to its success in receiving a high number of proposals, the Siskiyou RAC has wrestled with how to create local employment through funded projects. This issue was raised at the very first RAC meeting and continues to receive atten-

tion. While acknowledging the important work being done on all projects, RAC members have expressed concern about supporting large numbers of small, sometimes unrelated projects that may not generate long-term employment and economic activity in the county. Members of one community described projects as “stopgap measures”—activities that enhance the quality of life without substantially addressing the growth of the community and diversification or expansion of the local economy.

Over the last year, the RAC has held special meetings to solicit large, multi-year projects, marking a departure from past projects that normally involve \$100,000 or less and are limited to a period of one year. One proposal that has generated interest among RAC members is the Happy Camp Roundwood Utilization Center, at a proposed cost of \$600,000. This project involves a collaboration of several groups, including the Happy Camp Ranger District, the Forest Service’s National Forest Products Laboratory, the Karuk Tribe, and the Klamath Knot Arts Council (KKAC). The KKAC was established in 2003 as a non-profit organization of local artists. The project would expand an existing gallery into a 4,200 square foot, two-story Regional Arts Center. The building would utilize roundwood, a wood chip and clay mixture, and other materials that will come from fuel reduction projects planned in the Happy Camp Ranger District. Local people could be trained in new building techniques. The Center will serve as

a demonstration project, as well as a spring board to establishing an industry processing prefabricated components for similar roundwood structures and building supplies from forest products.

The RAC's interest in larger projects, however, is not without its critics. There is concern for example, that other community-based groups would lose support if RAC funds were tied up in one large project. One member of the Klamath Fire Safe Council discouraged such a shift in focus, emphasizing how important even small RAC grants have been to community members. A focus on a large project like the Roundwood Utilization Center requires RAC members not only to think about the many trade-offs, but, according to some, requires members to understand technical details, and to analyze questions such as the availability of supplies of raw materials. The Siskiyou County RAC, in late 2005, continues to explore the trade-offs in the service of workers and communities.

### **Project Review, Prioritization, and Selection**

The RAC accepts project proposals quarterly. Prior to proposal review meetings, the RAC coordinator sends each RAC member a packet of project proposals. RAC members are expected to review and evaluate project proposals thoroughly before they meet and come with explanations of why they will or will not support particular proposals. At the meetings, the three RAC sub-groups break up to discuss and prioritize the projects. Their top-ranked projects are placed on the board. If all three sub-groups rank a project highly, it is automatically recommended for funding. This is followed by a RAC-wide discussion of projects that receive support from one or two sub-groups. The RAC chair asks each sub-group to choose one person to explain why the group supported a project. Several RAC members remarked that this process encourages the discussion to remain positive. RAC members also noted that sub-groups will often horse-trade, agreeing to support certain projects in order to obtain approval for their own preferred projects.

RAC sub-groups have different priorities, but members share an interest in project sponsors

providing matching funds or in-kind services. The RAC is also very interested in stimulating sustainable jobs that do not rely on continued grants. After the RAC agrees on projects to recommend and the forest supervisor approves them, the agency's RAC coordinator writes the necessary contracts or partnership agreements to enable project funding.

### **Approved Projects**

Appendix 1 lists all approved projects by category. There are three notable characteristics of these projects: (1) the project approval rate is comparatively low—only 20 - 25% of projects are approved on their first submission to the RAC, (2) the majority of projects come from community groups rather than the Forest Service, and (3) many of the approved projects are on private lands. These issues are discussed in more detail in the section on RAC Formation and Operation.

RAC projects have a high level of cost-sharing. Title II funds amount to only 51% of the total cost of approved projects. The Forest Service has contributed 19% and the private sector or local government contributions total 30%. Recipients of Title II funds are asked to keep records of project specifics like the number of acres treated and the number of jobs created, and the RAC coordinator compiles this information. Based on these data, RAC funded project accomplishments total 3,242.8 acres of forest health maintenance, involving weed eradication, thinning, and brush clearing; 652 acres of rangeland health maintenance; 48.5 river miles of fishery habitat restoration; 1,130 acres of wildlife habitat restoration; 1,239 acres of soil productivity maintenance; 163.4 acres of native vegetation restoration; 16 improved recreation sites; 77 structures maintained; 142.1 miles of road maintenance (project proponents included weed eradication along roads in this category); 186.5 miles of trail maintenance; and over 3,500 acres of fuel reduction activities. Overall, grant recipients report a total of 208 local jobs created by RAC funded projects. These totals represent impressive accomplishments for the Siskiyou RAC. Given the inconsistencies in self report

measures of project accomplishments, however, further review is important. For example, while any increase in local work is valuable, it is not clear from the reports the duration of employment for many of these jobs.

#### *Roads, Trails, and Infrastructure Maintenance or Replacement*

There are seven projects in this category that cost a total of \$102,352. The RAC has, thus far, supported only a few projects that involve roads. These projects have focused primarily on reducing fire risk along roads and improving emergency egress, and, secondarily, on general road improvements. Because of the connection of these and other roads and trails projects to recreation activities, we refer to this as recreational infrastructure in the Appendix. Siskiyou County is a rural county with a large percentage of public land and recreational opportunities. The Pacific Crest Trail is a National Scenic Trail that serves backpackers, hunters and fishermen, stock users, and other non-motorized traffic such as fire crews and public land agency personnel. The RAC has funded yearly proposals from the Back Country Horsemen of California to conduct maintenance on the Pacific Crest Trail. Several RAC members mentioned that it was regularly one of their favorite projects, getting important work done, employing local people, and building a partnership between the Horsemen's Association and the Forest Service. Each year, blow-down, rocks, or debris block the trail, and erosion may occur due to damaged water drainage systems. The work includes removing debris, cleaning the drainage systems, brushing, and trail tread repair. Work crews identify and report locations of noxious weeds to agency personnel and inventory trail signage. The Scott-Salmon River Districts of the Klamath National Forest act as advisors and provide trail maintenance training. They also monitor the project from the Saloon Creek to Shelly Meadows. The Weaverville Ranger District of the Shasta-Trinity National Forest monitors the project from Scott Mountain to the Saloon Creek saddle.

#### *Invasive Weed Control*

Eleven noxious weed control projects have been implemented at a cost of \$273,461. The Salmon River area has received \$86,099 of that total for a cooperative noxious weed program and community demonstration projects. This amounts to almost one-third of the total invasive weed control support. With these funds they have developed the "Salmon River approach," which involves manually removing target noxious weeds in sensitive areas rather than using herbicides. Priority species include white top, Italian thistle, Scotch and Spanish broom, yellow and Malta star thistle, marlahan and hedge mustard, tree of heaven, and teasel. The community-based program was designed to expand cooperation and increase awareness between multiple stakeholders in the Salmon River weed management area, and to strategically protect and restore forest and aquatic ecosystems. It involves a high level of community involvement and volunteer labor.

With RAC funding, the Salmon River Cooperative Noxious Weed Management Program has been able to provide integral watershed restoration stewardship jobs to an experienced and organized local labor force in the economically depressed Salmon River area. The program uses maps, aerial photographs, and Geographic Information System technology to identify areas infested by noxious weeds, develop systematic plans for removal, and monitor results. Detailed records are kept regarding the species and biomass removed from sites, followed by intensive monitoring. The program goals are to improve up to 100 acres of wildlife habitat and protect thousands of acres from the deleterious effects of non-native species.

#### *Fuels Management*

There are 19 fuels management and fire prevention projects, totaling \$473,748, the highest RAC categorical expenditure. The highest percentage of dollars granted in this category goes to fire safe councils and involves fuels reduction and thinning work. Initially, the RAC was only interested in providing seed money, as many grants for fire safety were available through federal initiatives that could be used to fund the continued work of these groups.



However, much of that funding has dried up. In response, the RAC has chosen to continue to support many of these efforts. The Klamath River Fire Safe Council is a good example. It has proposed several successful projects, including the Klamath River Community Corridor, Phase I and II. These projects have treated a total of 8.5 acres along Highway 96. Highway-caused wildfire is a serious issue in the area. Treatment involves cutting, piling, and burning extra fuels along the roadsides to reduce the risk of fire starts. The work was done primarily by California Conservation Corps crews and local Forest Service crews, thus providing important local jobs.

The project proponent explained that the Klamath River Community Corridor projects are part of a larger, comprehensive plan to reduce fire risk in the area. This includes a RAC-funded fuel break on the ridge just above the Community Corridor project area, and a non-RAC funded fuels reduction project on the nearby Beaver Creek, implemented by the Klamath River Fire Safe Council with outside funding. The work also has a multiplier effect within the community that is not captured by quantitative measures, such as acres treated or volume of biomass removed. Private landowners along Highway 96, for example, have now voluntarily cleared brush and thinned areas after seeing the results of the Klamath Community Corridor work. The combined educational effects of the projects manifest in landscape change also helped stimulate interest in forming a fire safe committee.

#### *Watershed Restoration and Enhancement*

A total of \$274,732 has been allocated to nine watershed restoration and enhancement projects. Two of these are riparian restoration and exclusionary fencing projects, which amount to 30% of the total expenditures. The Shasta Valley Resource Conservation District (RCD) proposed the Nicoletti Ranch Riparian Fencing project, located on private lands between the Klamath and Shasta-Trinity National Forests and near the town of Mt. Shasta. The project represents an interesting example of this RAC's approach to working with private

landowners and community-based organizations. The objective of the project is to construct 4,900 feet of new livestock exclusion fencing along the Shasta River on the Nicoletti Ranch. The fencing was intended to protect and restore critical riparian habitat by restricting cattle access to the river. These riparian areas are important for spawning as well as providing habitat for juvenile Coho and Chinook salmon, and native steelhead.

The project proponents explain that planning and implementing the project will allow for collaborative work between private landowners and the RCD that could lead to further work on neighboring properties. They justify its importance and connection to public land by noting that much of the lower six miles of the Shasta River are located on BLM-managed ground, and the Shasta is a tributary to the Klamath River, which flows through the Klamath National Forest. By protecting and restoring spawning and rearing habitat in the Shasta River, they argue that greater numbers of these endangered fish will migrate into federally managed areas. The RAC recommended and the Klamath National Forest supervisor approved this project. Both feel that it is one of many that is working to repair not only damaged habitat, but damaged relationships between interest groups and agencies in Siskiyou County.

#### *Wildlife and Fish Habitat*

The nine projects funded in this category total \$300,433. Six of these projects include fish passage or fish screening, which amounts to 52% of category funding. The environmental group Cal Trout received \$79,066 to improve fish passage in Swamp Creek, one of the few creeks in the world believed to contain genetically pure populations of the imperiled McCloud redband trout. Approximately three miles of Swamp Creek provide suitable habitat for the McCloud redband, but this habitat is divided by two road crossing culverts. Due to the excessive jump heights and poor jump angles, conditions at both culvert sites are not suitable for McCloud redband to pass upstream. Additionally, water tanker trucks regu-

larly fill their tanks from Swamp Creek for fire suppression and road dust abatement. Fish biologists have shown that low water levels can threaten the survival of McCloud redband, as well as other aquatic organisms. Cal Trout will place a series of cross vane boulder structures in the stream bed to mimic the reference reach channel dimensions and restore the fish passage at each crossing. The project will also include a riparian revegetation component, planting native willow cuttings in disturbed areas. Finally, it will install a water intake system for filling water tanker trucks.

#### *Other*

Half of the 14 projects in this category are related to conservation education, accounting for 66% of the total funding of \$378,686. In 2005, the RAC supported a proposal funding the Mt. Shasta Youth Conservation Corps (YCC) program, first established in 1978. Due to Forest Service budget reductions, the YCC program lost its support. The approved project funded three YCC crews for projects designed to provide conservation

education and training in resource management during summer 2005 on the Shasta-McCloud Management Unit. Each crew had six members and a crew leader (Figure 1). Projects were overseen by a resource professional who provided expertise in his/her specialty and promoted individualized learning experiences. Projects that the YCC accomplished during the 2005 field season included: recreation area improvements, reforestation of the wild-urban interface, trail maintenance, fuels reduction, native revegetation, and stream restoration. The project proponents explained that the YCC program provides much needed employment opportunities for their rural community, especially for the high school-aged population. A local Forest Service employee comments, “We employ 24 people—but when there are only 400 kids in the high school, that’s significant.” YCC proponents also noted that the program has a long history in their community, and that it was a way to introduce teenagers to resource management jobs. Several former YCC crew members now work for the Forest Service.

**Figure 1. Youth Conservation Corps members**



## **RAC Formation, Operation and Process**

This section focuses on the institutional dynamics of the RAC. It begins with a review of the RAC's initial formation and operation, and then discusses some of the ways the RAC has fostered the development of relationships between and among interest groups, and between the broader community and the agency. Finally, it addresses the RAC's approach to decision-making, the relationship between the county and the RAC, and the relationship between the Forest Service and the RAC.

### **RAC Formation**

Amidst a context of divisiveness in the county, the RAC was launched. The establishment of the RAC followed on the heels of a failed consensus-based process that attempted to bring together area industry, forestry, tribal, and environmental interests. There remains today bad feelings about the experience, which exacerbated rather than diffused conflict between parties. A number of individuals were concerned that this would cloud establishment of the RAC and that the RAC would be unable to escape from such divisiveness. With this in mind, the county board of supervisors and the Klamath National Forest supervisor screened potential RAC members. In interviews, interested individuals were asked specifically about prior experience working with groups of diverse interests. The ability of members to work cooperatively was considered extremely important for the success of the RAC.

The county supervisors and county administrator were both involved in the process of recommending individuals to be considered for appointment to the RAC. Final decision authority, however, resided with the Klamath National Forest supervisor. The Forest Service followed the federally mandated Civil Rights Impact Analysis (CRIA) guidelines in the selection process, which attempt to foster diversity. Despite a county with strong tribal presence, and with areas near national forest land where Native American density exceeds considerably the county-

wide average, not a single tribal member applied to be part of the RAC. This was the first and unfortunately not the last time the RAC and the Forest Service would be challenged to secure native representation. A Forest Service official remarked that many tribes are already stretched thin in regard to resources and capacity, and participating on the RAC may not be a top priority.

The nominee to fill the RAC tribal position was not a tribal member and was rejected by the Karuk Tribe in favor of their cultural resource specialist (who is a tribal member). However, this individual left the RAC, disturbed by what he perceived as a lack of representation of, and indifference to, tribal issues. Many on the RAC were both surprised and frustrated that such feelings existed and disagreed with the perspective. After leaving, this individual has since been replaced by a Quartz Valley Indian Community representative.

Both tribal and RAC members have pointed out, and it is clear from the record of projects, that Title II funds have supported a significant number of projects with the tribes as partners or proposed directly by the tribes themselves. Projects include, among others, the Quartz Valley Bat Education and Habitat Enhancement Project, the Panther Meadows Restoration Project, the Quartz Valley Aquarium Project, the Karuk Cultural Youth Training Program, and others that have provided training, employment, or both to tribal members. This support is important not only for its inclusion of the tribes in RAC supported work generally, but as a way to encourage more tribal involvement in the RAC in the future.

### **RAC Operation**

The RAC meets on the third Monday of every month, occasionally skipping one month in the summer and December, depending on the work load. From the start, the RAC has been well supported. The present Klamath National Forest supervisor has made the RAC a top priority. Chris Nota, the

Regional Forester's Representative, directly supported training early in the process. The RAC has also benefited from dynamic coordinators who have devoted considerable time to the RAC. Many RAC members noted the importance of the current RAC coordinator, who not only performs typical administrative and support functions, but also takes an active role in helping community groups develop and revise project proposals.

The Klamath National Forest takes a 10% administrative fee out of the total Title II allocation for drafting the agreements, processing invoices, and tracking payments.

### **Public, Agency, and Interest Group Relationship Building**

Siskiyou County still bears the scars of the "timber wars" of the 1980s and 1990s, with a bitter legacy of deep divisions and brittle community relations. That and the more recent failed consensus process created a challenge that was as deep and conflicted as any RAC faced. Bill Turner, currently the RAC co-chair, testified to Congress, "I have to tell you that at the first meeting there was some apprehension over whether such a diverse set of people (leaders of environmental groups, a union representative, tribal representative, timber and ranching interests, elected officials, and other) would ever agree on anything, let alone projects that may benefit our communities." Yet, Turner goes on to say that the RAC has broken down barriers between participants, created jobs, and leveraged funds for the community. This sentiment was echoed by many other RAC members in individual interviews. Turner concludes that if the legislation is not reauthorized, "it will be taking a giant step backwards away from the recovery environmentally, socially, and economically that we are just now beginning to feel is possible."

Indeed, the opportunities for funding through the RAC have generated a high proportion of community-driven proposals. As previously mentioned, the RAC has a relatively low project approval rate, estimated by RAC members to be around 20 to 25%, as a result of the large number

of proposals submitted by local organizations. Recipients of Title II funds include community fire safe councils, watershed groups, tribes, schools, horseman's associations and resource conservation districts. The RAC offers the opportunity for community groups to leverage funds by providing them with seed money for projects. One county supervisor noted that the strength of the RAC was its ability to bring people together and to create organizational infrastructure in the community.

### **RAC Decision-Making Processes**

The RAC has avoided much of the contentiousness that has plagued other multi-stakeholder processes in Siskiyou County. It is impressive not only that the RAC has moved beyond a milieu of intense discord, but that it has developed a RAC in which interests are working together effectively and funding a broad array of projects. Some RAC members attribute this to the individuals on the RAC, remarking that they are not "extremists," and are willing to work together cooperatively. There remain, however, concerns among a few that some interests may not be represented as well as others. Whether this is part of the legacy of conflict in the county, is something that will continue to abate, or remain a concern is unclear. One concern involves the Native American voice in decisions. This concern does not reflect at all on the current tribal representative, but is more general and addresses perhaps subtle attitudes, as well as a fundamental institutional challenge associated with the legislation.

The issue of attitudes involves community and RAC response to Native American involvement on the RAC. Like the more recent resource conflicts between interest groups, Anglo-European and Native American relationships have long been strained. Some suggested these attitudes have subtly played out in treatment of Native Americans and Native American projects. Perhaps contrasting this perspective and suggesting, at minimum, a RAC effort at inclusion and support for tribal projects, are the five funded tribal projects along with several other funded projects in which tribes

have benefited.

Representation and participation in decision-making also involves the more fundamental issue of who speaks for tribes and the institutional limitation of one tribal “representative” on the RAC. Given the number of tribes and tribal groups in Siskiyou County, tribal representation is difficult for any individual given the unique and individual relationships that tribes have with the federal government, and the fact that one individual may not speak for other tribes. Siskiyou County’s American Indian presence raises significant questions for the legislation that allocates but a single slot for a tribal representative, and severely challenges both the RAC and the Forest Service to respond to multiple and diverse tribal issues.

### **County-RAC Relations**

The RAC coordinator presents a summary of the RAC’s accomplishments to the county board of supervisors two times a year. The county has thus far played an interested, yet not adversarial or controlling role, regarding the RAC. Both the county department of agriculture and the city of Yreka have received Title II funds through the RAC. Yet the county administrative officer (CAO) admits that Title II and Title III are in competition with one another. More of one means less of another. Due to increasing county fire department costs this fiscal year he hopes to secure a slightly higher percentage of Title III funds. Nonetheless, despite the budget challenges facing the county, the continued high level of support for Title II confirms county board of supervisor’s support for the work of the RAC.

### **Forest Service-RAC Relations**

Relations between the Forest Service and the community have long been contentious. Many Siskiyou County residents blamed the Forest Service for the decline in timber sales, and the overall decline in the timber industry. Initially, this resentment affected the RAC. Several members reportedly held negative feelings toward the Forest Service, but participation on the RAC has offered them an opportunity to learn about what the Forest Service does, especially regarding the requirements of the National Environmental Protection Act (NEPA). Relations between the Forest Service and Siskiyou residents by almost all accounts are on the upswing. The RAC coordinator seems particularly committed to securing community trust.

The Klamath National Forest supervisor notes that gaining public support has been extremely important to the success of the RAC, and it would not have happened if projects were only approved on national forest land. She explains that because the Klamath National Forest covers a checkerboard of public and private lands, a good case is made for work on private land. This, in turn, has led to increased buy-in to the RAC process and improved Forest Service Relations. The forest supervisor credits the RAC with not only fostering cooperation between the Forest Service and private landowners, but also contributing to the improvement of relations between local environmentalists and the timber industry: “As late as five years ago there was little cooperation between farmers, ranchers, and environmentalists.” In an area with long-standing, deep hostility, the fact that different interest groups and the Forest Service are working together productively represents a significant, if not dramatic, accomplishment.

## Conclusion

The Siskiyou County RAC has created a positive dialogue between interest groups, and between interest groups and the Forest Service. This is particularly notable given the mistrust and hostility that characterized their relationships between groups prior to the launch of P.L. 106-393. The RAC has seeded and supported a number of projects that would otherwise not have been completed. The Siskiyou County RAC functions smoothly and effectively. Some of its success can be attributed to the strong leadership at the time the RAC was established, the current leadership structure, and the continued support it receives from the forest supervisor and RAC coordinator.

While there have been numerous successes in regard to Title II and Title III projects, challenges remain. These include the capacity of the RAC, the county, and the Forest Service to address: (1) improved tribal involvement—beyond the one representative—and general tribal engagement, (2) creating sustainable jobs, and (3) creating a more open Title III process, including favoring discrete projects over administrative allocations.

Given their contemporary relationship to the forest and watersheds, their historic role and knowledge, and their importance in the county, tribal participation in the RAC is important for future RAC success. While challenges exist in terms of soliciting participation, it remains important for the RAC to continue its work with tribes, funding projects with tribal involvement or leadership and soliciting more tribal involvement in the RAC. The legislation has only one formal position for a tribal representative, but Native American participation in the RAC can nonetheless be expanded by having a tribal member serve as a representative for the education, dispersed recreation, timber industry, or any other interest group category.

The creation of sustainable jobs continues to be an area of concern for the Siskiyou RAC. Project recipients reported that over 200 local jobs were produced, but many of these are short-term or seasonal jobs and do not represent stable employment opportunities. The RAC's current discussion of larger, multi-year project proposals is one response

to this concern. The RAC has debated whether to support smaller community projects or to spearhead larger, potentially more transformative projects. It is important to recognize that the creation of sustainable jobs in rural areas is a formidable challenge. What is important is for RAC members to keep the debate open and to be engaged in addressing the challenge. There is no "silver bullet." Rather, it is this productive engagement that will contribute to successful actions on the part of the RAC to confront unemployment and to make a contribution to sustainable local economic development.

The success of P.L. 106-393 in Siskiyou County is also tied to the county's allocation of Title III funds, including the willingness of the county to support Title II. The biggest challenge for the county now and in the future will be shifting the use of Title III dollars away from "filling gaps in the county budget," as one put it, to developing a process for funding Title III projects through a competitive program with discrete proposals, and open to groups beyond county administrative units.

The current process blurs the distinction between an administrative allocation and a project. An internal allocation of funds was not envisioned in the legislation. This process encourages the view that county fiscal crises will result in a reduction of Title II funds.

Moving away from an internal budget "gap-filling" Title III program in Siskiyou County will not only have the effect of encouraging high level support for the successful Title II program, but it will likely stimulate a successful and dynamic Title III program. If the relatively low level of funded projects and the high amount of leveraged funds are any indication, offering a competitive Title III program will lead to the development of proposals and projects that seed needed work. The Title II program, which depends on Siskiyou County funding it, offers a powerful example of how Title III funds might be used to involve more groups, overcome historic animosities, and leverage more money to do valuable and needed work in the county.



## Appendix 1

### Siskiyou County, California RAC: Title II Projects, FY02-FY05

Category	Project Name	Title II \$	Project Form Primary Purpose	FY
<b>Recreational Infrastructure</b>				
	Pacific Crest Trail Maintenance	\$10,000	Trail Maintenance	05
	Bridge Creek Trail Opening	\$24,500	Trail Maintenance	04
	Pacific Crest Trail Maintenance	\$13,000	Trail Maintenance	04
	Hatchery Trail Extension and Education Project	\$28,000	Trail Maintenance	03
	Pacific Crest Trail Maintenance	\$2,600	Trail Maintenance	03
	Butler Mtn Trail Maintenance	\$16,700	Trail Maintenance	02
	Pacific Crest Trail Maintenance	\$7,552	Trail Maintenance	02
	subtotal recreational infrastructure	\$102,352		
<b>Soils</b>				
	Mt. Dome Feral Horse Recapture	\$36,500	Reduce Soil Erosion	05
<b>Forest Health</b>				
	Canyon/Kelsey	\$49,100	Forest Health Improvement	02
<b>Watershed</b>				
	Elk Creek Sewer Extension	\$32,000	Watershed Restoration & Maint.	04
	Nicoletti Ranch Riparian Fencing	\$34,375	Watershed Restoration & Maint.	04
	Yreka Greenway Planning	\$16,461	Watershed Restoration & Maint.	03
	Shasta Watershed Restoration GIS Database	\$24,409	Watershed Restoration & Maint.	03
	Lake Siskiyou North Shore Restoration	\$53,240	Watershed Restoration & Maint.	03
	Klamath/Salmon River Dispersed Recreation River Sanitation	\$17,500	Watershed Restoration & Maint.	03
	Butte Cr. Ranch Riparian Restoration	\$38,904	Watershed Restoration & Maint.	03
	River Park Habitat Restoration and Environmental Education	\$14,750	Watershed Restoration & Maint.	02
	Cade Mtn. Septage Closure/Happy Camp Sanitary Sewer Septage Disposal Facility	\$43,093	Watershed Restoration & Maint.	02
	subtotal watershed	\$274,732		
<b>Habitat</b>				
	Swamp Creek Fish Passage	\$79,066	Fish Habitat Restoration	05
	Quartz Valley Bat Education and Habitat Enhancement Project	\$7,560	Bat Habitat Improvement/ Conservation Education	05
	Panther Meadows Restoration	\$68,205	Alpine Meadow Habitat Improvement & Visitor Trails	05
	Riparian Restoration Greenhouse and Wildlife Gardens Project	\$20,000	Conservation Education	05
	Little Shasta River Riparian Project: Phase I	\$28,000	Fish Habitat Restoration	04
	Shasta Valley RCD Tube Screens	\$32,122	Fish Habitat Restoration	03



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	Riparian Restoration Greenhouse and Wildlife Gardens	\$18,700	Conservation Education	03
	Parks Creek Fish Passage at I-5	\$16,556	Fish Habitat Restoration	02
	Headwaters of Shasta River	\$8,810	Fish Habitat Restoration	02
	Eric Peters Fish Screen	\$21,414	Fish Habitat Restoration	02
	subtotal habitat	\$300,433		
<b>Weeds</b>				
	Happy Camp -Oak Knoll Noxious Weed Abatement	\$19,515	Control of Noxious Weeds	05
	The Salmon River Approach for Effectively Controlling Prioritized Noxious Weed Species-Cooperative Noxious Weed Program	\$29,900	Control of Noxious Weeds	05
	Siskiyou County Noxious Weed Eradication Program	\$74,000	Control of Noxious Weeds	05
	Emergency Manual Treatment of Priority Noxious Weeds	\$11,500	Control of Noxious Weeds	04
	Happy Camp Noxious Weed Abatement	\$10,185	Control of Noxious Weeds	04
	Salmon River Approach for Controlling Noxious Weeds - Community Demonstration Project	\$25,412	Control of Noxious Weeds	03
	Noxious Weed Inventory, Mapping, and Treatment by Hand Pulling on Eastside Recreation Sites	\$10,450	Control of Noxious Weeds	03
	Lower Mid Klamath Community Invasive Species Abatement Program	\$12,102	Control of Noxious Weeds	03
	Noxious Weed Control - California Lands	\$0	Control of Noxious Weeds	03
	Musk Thistle Control and Eradication Project	\$49,610	Control of Noxious Weeds	03
	Salmon River Approach for Controlling Noxious Weeds - Community Demonstration Project	\$30,787	Control of Noxious Weeds	02
	subtotal weeds	\$273,461		
<b>Native Vegetation</b>				
	McCloud River Native Vegetation Restoration	\$46,200	Reestablish Native Species	03
	Improving Fish and Wildlife Habitat	\$10,384	Reestablish Native Species	02
	subtotal native vegetation	\$56,584		
<b>Fuels</b>				
	Somes Bar Sustainable Fuelbreaks	\$63,844	Fuels Mngt/Fire Prevention	05
	Seiad Fire Protection Water Resource Project-Phase II	\$13,869	Fuels Mngt/Fire Prevention	05
	Siskiyou County Community Wildfire Protection Plan, County-wide Fire Safe Coordination and Outreach Project	\$53,150	Fire Safe Council Funding	05
	Dutch Creek Fuel Reduction and Road Improvement Phase II	\$50,800	Fuels Mngt/Fire Prevention	05
	Callahan Fire Protection District	\$43,000	Fire Prevention Infrastructure Maintenance	04
	Klamath River Tanker Fillsite Restoration	\$8,500	Fire Prevention Infrastructure Maintenance	04
	Willow Reservoir	\$14,500	Fire Prevention Infrastructure Maintenance	04

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	Klamath River Community Corridor Phase 2	\$13,558	Fuels Mngt/Fire Prevention	04
	Dutch Creek Fuel Reduction and Road Improvement Phase I	\$11,096	Fuels Mngt/Fire Prevention	04
	Seiad Fire Protection Water Resource Project	\$17,050	Fuels Mngt/Fire Prevention	03
	Sawyers Bar Planning & Fuel Reduction	\$30,360	Fuels Mngt/Fire Prevention	03
	Sand Dollar Plantation Thinning	\$23,000	Fuels Mngt/Fire Prevention	03
	Indian Creek Road Fire Reduction Project	\$31,280	Fuels Mngt/Fire Prevention	03
	Deer Mtn. Plantation Thinning	\$16,500	Fuels Mngt/Fire Prevention	03
	Forks Fire Hydrant Project	\$22,000	Other Project Type	03
	Ukonom Hazard Fuels Reduction	\$27,372	Fuels Mngt/Fire Prevention	02
	Salmon River Fuel Reduction	\$11,164	Fuels Mngt/Fire Prevention	02
	Merrill Fuel Reduction	\$18,000	Fuels Mngt/Fire Prevention	02
	Klamath River Community Corridor	\$4,705	Fuels Mngt/Fire Prevention	02
	subtotal fuels	\$473,748		
<b>Recreation</b>				
	Juanita Lake Campground Vegetation Management	\$33,750	Campground Improvement/ Forest Health	05
<b>History</b>				
	none			
<b>Other</b>				
	Watershed Science Education	\$10,883	Conservation Education	05
	Quartz Valley Aquarium Project	\$5,610	Conservation Education	05
	Youth Conservation Corps	\$77,487	Community Economic Benefit/ Conservation Education	05
	Happy Camp Visitor Information Center	\$38,500	Conservation Education	04
	Siskiyou RAC Member Travel	\$2,500	Other Project Type	04
	RAC Internet Tracking Database	\$18,150	Other Project Type	04
	Orr Lake SSTs	\$50,000	Other Project Type	04
	Klamath/Salmon River Dispersed Recreation River Sanitation	\$17,500	Other Project Type	04
	Greenhorn Reclamation and Public Use Plan	\$40,150	Other Project Type	04
	Happy Camp Scat Machine & RV Dumpsite	\$59,620	Community Economic Benefit	03
	Watershed Science Education	\$11,971	Conservation Education	03
	Salmon River Watershed Education	\$6,715	Conservation Education	03
	Karuk Cultural Youth Training Program	\$19,800	Conservation Education	03
	Karuk Cultural Youth Training Program	\$19,800	Conservation Education	02
	subtotal other	\$378,686		
	<b>TOTAL</b>	<b>\$1,979,346</b>		

## **Interviewees**

Larry Alexander, RAC member  
Peg Boland, Forest Service  
Petey Brucker, RAC member  
Julie Cassidy, Forest Service  
Sherry Crawford, RAC member  
Max Creasy, Forest Service  
Eddie Davenport, RAC member  
Debbie Derby, Forest Service  
Steve Fisher, Klamath River Fire Safe Council  
Don Hall, Forest Service (RAC Coordinator)  
Jeanette Hook, RAC member  
Bob Lindsay, RAC member  
Valerie Linfoot, Forest Service  
George Livingston, Klamath Fire Safe Council  
Kerry Mauro, RAC member  
Rick Meredith, RAC member  
Howard Moody, County Administrator  
Sandra Tripp, Karuk Tribe  
Harold Tripp, RAC member  
Bill Turner, RAC member  
Rebekah Sluss, RAC member

The name of one individual is not listed by request.



# **Roseburg District, Oregon, Bureau of Land Management Resource Advisory Committee and Douglas County Title III Case Study**

Mark Baker  
Sierra Institute for Community and Environment





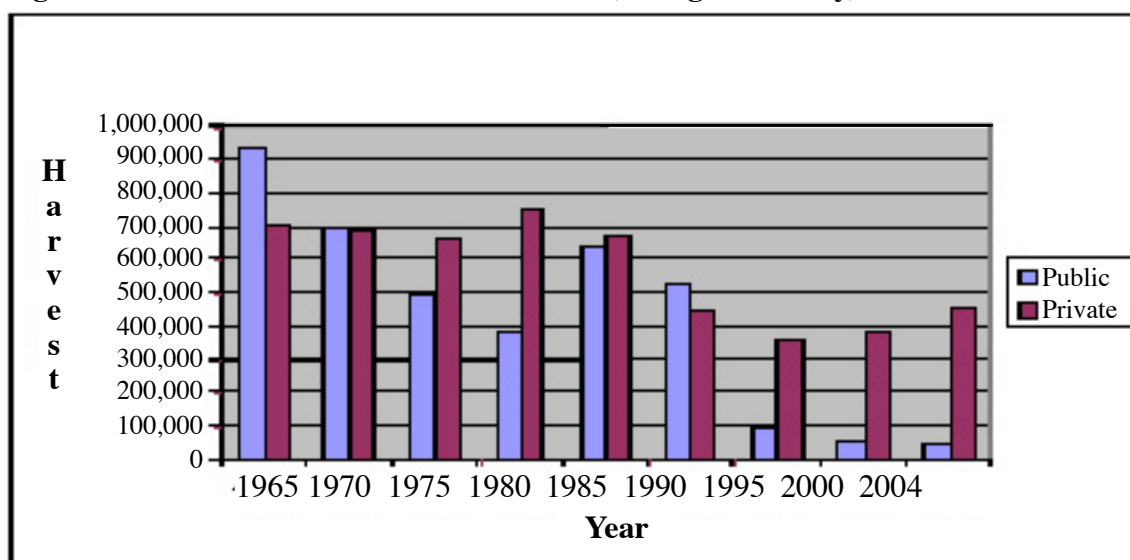
## Background

The Roseburg District of the Bureau of Land Management consists of 425,500 acres of BLM-managed lands located almost entirely in Douglas County, Oregon. Small portions of the district spill over into Jackson County to the south and Lane County to the north. However, the great majority of the district falls within Douglas County and therefore the Roseburg District BLM Resource Advisory Committee's area of jurisdiction may be considered coterminous with Douglas County's boundary. Douglas County, for the most part, is contained within the Umpqua River Basin in southwest Oregon. It extends east to the crest of the Cascade Range and west into the Coast Range. The northwest corner of the county extends across the Coast Range to the mouth of the Umpqua River at Reedsport on the Pacific Ocean. The southern portion of the county reaches into the first ranges of the Klamath Mountains. It is perhaps not surprising, given the extent of productive timberland included within its borders, that Douglas County is considered

part of the backbone of Oregon's forest and wood products sector. For example, in 2004, Douglas County's timber harvest of 496 million board feet was second in the state only to neighboring Lane County's harvest of 569 million board feet.<sup>1</sup> Douglas County's relatively high levels of timber harvesting activity—when compared to other areas of the state—are primarily due to cutting on private lands. Figure 1 shows public and private timber harvest levels between 1965 and 2004. The figure shows the extent to which timber harvest levels on public lands plummeted in the early 1990s and have remained at historic lows.

Even with relatively robust timber harvest levels on private lands and federal safety net legislation, the precipitous decline in overall timber harvest levels has sent reverberations throughout the local economy. Mill closures, high unemployment rates, and declining employment in the forest products sector are some of the visible symptoms of the decline.

**Figure 1. Public and Private Timber Harvest, Douglas County, 1965-2004.**



<sup>1</sup> Cite: <http://egov.oregon.gov/ODF/news/NR0541.shtml>.

In Douglas County, between 1990 and 2003, information compiled by the Pulp and Paperworkers' Resource Council shows that at least 15 mills closed, resulting in more than 1,700 lost jobs.<sup>2</sup> These job losses contributed to the county's unemployment rate, which in 2003 was 10.1%, significantly higher than the state average of 8.1% (the highest state average in the United States for that year).<sup>3</sup> Per capita income in Douglas County also lags behind the state average. In 2002, the county's per capita income was \$24,644, while the state average was \$28,222.<sup>4</sup> Given these high unemployment and low per capita income levels, it follows that poverty rates in Douglas County are higher than the state average. In 2002, 13.3% of the county's population lived at or below the poverty line while the statewide poverty rate was 11.3%. The poverty rate for Douglas County, while relatively high, is lower than that of neighboring counties such as coastal Coos County (15.2% in 2002) and Klamath County (14.7% in the same year) to the east.<sup>5</sup> The higher than average poverty rates contribute to a complex of social problems.

From the perspective of Douglas County, the dramatic drop in timber harvests on public lands was especially alarming because of the reliance on receipts from those harvests for funding county schools, roads, and other general fund expenditures. The extent of dependence on these receipts is illustrated by the fact that Title I payments to Douglas County from the Bureau of Land Management under P.L. 106-393 comprise approximately 65% of the county's general fund budget. Were it not for this payment (which is based on historic timber harvest receipt payments) the health and social services, law enforcement, planning, and other county functions funded out of the general fund would have to be significantly curtailed. In an analogous fashion, the county receives approximately \$18 million from

the Forest Service under P.L. 106-393 to support county schools and the Public Works Department. Without the spotted owl safety net legislation (part of the 1993 Omnibus Reconciliation Act) and the Secure Rural Schools and Community Self-Determination Act, the fiscal viability of counties such as Douglas County that rely heavily on a share of the receipts from public lands timber sales would be severely compromised. At particular risk are the social services supported by the BLM receipts paid to the county's general fund, and the public schools and county roads, which are supported by Forest Service receipts.<sup>6</sup>

The roots of Douglas County's dependence on federal payments from public timber harvests come into sharper focus when we consider the historical shifts in land ownership patterns in the region.<sup>7</sup> Much of this involves the area known as the O&C (Oregon and California) lands. These lands, which comprise the great majority of the area the BLM now manages, were initially granted to the Oregon and California Railroad Company in 1866 as part of the disposition of public domain lands. However, because the O&C Railroad Company and the Southern Pacific Company (of which it had become a subsidiary) violated conditions of the grant, this area (almost 3 million acres containing some of Oregon's most productive timberland) was reverted to the United States by a 1916 act of Congress. During the negotiations that accompanied the reversion process, the Oregon congressional delegation was able to secure favorable payments from the federal government, including unpaid back taxes owed by the railroad company and a promise that 50% of receipts from this area would be returned to the counties. This compared quite favorably with the 25% that the Forest Service was returning to counties at the time.

<sup>2</sup> Information on mill closures and associated job losses from: [http://www.propertyrightsresearch.org/articles4/mill\\_closures.htm](http://www.propertyrightsresearch.org/articles4/mill_closures.htm)

<sup>3</sup> State average unemployment data comes from the Bureau of Labor Statistics (<http://www.bls.gov/news.release/srgune.t01.htm>). County unemployment data is found at: <http://www.econ.state.or.us/stats.htm>.

<sup>4</sup> Per capita income from: <http://www.econ.state.or.us/stats.htm>.

<sup>5</sup> Poverty rates are from the Economic Research Service of the United States Department of Agriculture: <http://www.ers.usda.gov/data/povertyrates/PovListpct.asp?st=OR&longname=Oregon>.

<sup>6</sup> Forest Service safety net payments for schools are not paid directly to the county. Instead, they are paid to the State of Oregon. They are then redistributed to the state's school districts.

<sup>7</sup> The discussion of the history of the O&C lands draws from S.T. Dana and S.K. Fairfax, "Forest and Range Policy," McGraw-Hill, pp.105-108, 165-167.



The O&C lands were reverted to the General Land Office, which opened up the area to homesteading and logging with little or no regulation. Problems with over-exploitation and fires caused by slash burning led Congress, in 1937, to pass the O&C Lands Act which, for the first time, specified that the area was to be managed (Dana and Fairfax, 1980:165) The act specified that the O&C lands were to be “managed for permanent forest production...in conformity with...sustained yield...providing a permanent source of timber supply...., and contributing to the economic stability of local communities and industries.” The return of 50% of timber sale receipts to the counties and the stipulation that another 25% be returned to fund land management activities were some of the important ways in which local communities were to be supported by the act.

The manner in which the O&C lands shifted from public to private and then back to public ownership, and the extent of monetary benefit that O&C counties have historically derived from those areas, illustrates some of the unique aspects of the relationship between public lands and O&C counties. Because these areas were once privately owned and portions were homesteaded, rural residents of southwest Oregon have a strong feeling of entitlement or ownership towards the O&C lands, more so than one usually finds with national forests or other BLM-managed areas. For many residents of the region, the

O&C lands are “our lands.” Furthermore, because of the formula for returning receipts to O&C counties, there is also a strong dependency on those receipts at the county level.

The current checkerboard pattern of public/private landownership in the area is another legacy of the O&C lands. Although the Forest Service does control intact areas that were initially reserved as national forests, the original land grant to the O&C Railroad Company was for odd-numbered sections of the public domain. Today industrial and non-industrial forestland holders own the even-numbered sections, while the BLM manages the odd sections. This has left a fragmented landscape with respect to land ownership, and has required that the BLM and private landowners develop complex agreements for joint management of roads, waterways, and other environmental parameters that span ownerships. The checkerboard pattern of public/private land ownership has both enabled and required the development of strong working relationships between the BLM and adjacent landowners. The numerous public-private partnerships that have consequently evolved have contributed to the BLM’s institutional capacity, expertise, and interest in partnering with other groups. This has contributed to the Roseburg BLM RAC’s ability to effectively support partnerships between the BLM and a diverse array of government and non-government organizations in Douglas County.

## **County Elections for Titles II and III**

This section focuses on patterns of Douglas County support for Titles II and III and the county’s Title III program. Because Douglas County receives such large payments under P.L. 106-393, we thought it appropriate to pay closer attention to the county’s Title III program than we have in other case studies.

Douglas County is engaged with three Forest Service RACs and four BLM RACs. In determining the levels of support for these seven entities and for the county’s own Title III program, the county sought certainty, equity, and continuity. The county achieves certainty and continuity by maintaining the

same Title II – Title III split from year to year, and by holding constant the proportion of Forest Service and BLM Title II funds that it allocates to the seven RACs with which it is engaged.

Since fiscal year 2001, the first year the legislation was implemented, and up through the current year (FY 2005), the county has elected to allocate 15% of the total Forest Service and BLM payment for Title II and Title III programs annually. Over the same time period, the county has chosen to allocate 68% of the elected Forest Service amount for Title II and 32% for Title III. It has allocated 75% of

the elected BLM amount for Title II and 25% for Title III. As Douglas County Commissioner Doug Robertson noted, “We put a majority of dollars into Title II to comply with the intent of the legislation.” The county seeks equity in the distribution of funds across different RACs by employing an area-based rule to determine how much to allocate to each RAC. Accordingly, the three Forest Service RACs (Rogue/Umpqua, Siuslaw, and Hood/Willamette) receive 88%, 7%, and 5%, respectively, of the total allocated Forest Service amount. The four BLM RACs (Eugene, Roseburg, Coos Bay, and Medford) receive 3%, 64%, 20%, and 13%, respectively, of the total allocated BLM amount. Table 1 shows the total P.L. 106-393 receipts that Douglas County receives from

the BLM and the Forest Service, by Title. It also shows the amount of funding the Roseburg BLM RAC receives annually.

Douglas County’s division of funds between Titles II and III and its consistent level of support for the RACs helps to ensure predictable levels of RAC funding, allowing potential grantees (both agency and non-agency) to plan which and how many project applications to prepare and submit. Consistent funding levels also provide the RAC with opportunities to support an annual suite of projects, and the collaborative relationships they entail, building on the prior years’ work. A consistent program of work enhances the cumulative effect, both ecologically and socially, of the RAC’s overall efforts.

**Table 1. BLM and Forest Service P.L. 106-393 Payments to Douglas County and Roseburg BLM RAC.**

Year	Title I	Title III	Title II	Roseburg BLM RAC
<b>FY 2001</b>	\$41,192,813	\$2,040,190	\$5,229,128	\$1,961,089
<b>FY 2002</b>	\$41,522,356	\$2,056,512	\$5,270,963	\$1,976,778
<b>FY 2003</b>	\$42,020,624	\$2,081,190	\$5,334,214	\$2,000,499
<b>FY 2004</b>	\$42,566,892	\$2,108,245	\$5,403,558	\$2,026,506

## Title III Projects

Douglas County has a formal process for determining Title III project funding. Each year, a specific period is announced during which project applications (both from county and non-county entities) will be accepted. The announcement is placed in the local newspapers, and prior project recipients are notified. Project applications are the same for county and non-county entities. The application requires the applicant to provide a project description, statement of project goals and objectives, the proposed method of accomplishing the project, and a detailed budget. It also asks the applicant to identify how the project meets the purpose of the legislation, how it benefits the community, and how it will improve cooperative rela-

tionships between people and federal land management agencies. After the application period is closed, public meetings are held, during which county commissioners deliberate the merits of the different proposals. Generally, one meeting is held to discuss applications from non-county entities and a second meeting is held to discuss proposed county projects. Project proponents, whether county staff or members of the public who have submitted applications, attend these meetings and contribute to the discussions regarding their projects. After the commissioners have decided which Title III projects to support and at what levels, the legislation requires a 45-day public comment period. Barring comments that would force recon-

sideration of a project (something that has not happened to date), the board of commissioners then approves its Title III projects for that year.

During the first four years of the program, Douglas County commissioners allocated \$7.9 million in support of 57 Title III projects. As Table 2 illustrates, Douglas County commissioners allocated the most funding to projects that fall under the Search, rescue, and emergency services category, followed by Forest related education, Fire protection and county planning, and Community service work crews. The percentage distributions across these four categories are 55%, 34%, 9%, and 2%, respectively. No projects were funded under the legislatively authorized category of “easement purchases.”

During each of the four years, the commissioners allocated more money for projects proposed by non-county entities than for county proj-

ects. While this amount never fell below 55% of each year’s Title III allocation, during the second year 85% of that year’s Title III allocation went for projects proposed by non-county entities. Each year, the commissioners approved five county-proposed projects. However, the number of non-county entity projects increased from a first year low of 5, to 10, 12, and 10, respectively, during the second, third, and fourth years of the program. This level of support and the fact that total dollars to non-county projects always exceeded that allocated to county projects reflect the county’s commitment to use the Title III program to support non-county entities.

Table 3 details the specific Title III projects authorized by the county commissioners and subsequent paragraphs provide an overview of some of the approved projects.

**Table 2. Douglas County Title III Allocations, by Year and Category.**

<b>Year</b>	<b>Search, rescue, and emergency services</b>	<b>Forest related education</b>	<b>Fire protection &amp; county planning</b>	<b>Community service work crews</b>	<b>Total (by year)</b>
<b>2001</b>	\$705,500	\$595,000	\$575,000	0	1,875,500
<b>2002</b>	\$917,391	\$428,543	\$10,000	0	1,355,934
<b>2003</b>	\$1,593,539	\$711,313	\$78,200	\$64,713	2,447,765
<b>2004</b>	\$1,172,101	\$932,446	\$78,225	\$64,713	2,247,485
<b>Totals</b>	\$4,388,531	\$2,667,302	\$741,425	\$129,426	7,926,684

**Table 3. Douglas County Title III Allocations by Category and Recipient**

Category	Expenditure	Recipient	Amount	# of projects
<b>Search and Rescue</b>	emergency fire crews	Douglas Forest Protection Assoc.	2,269,947	4
	S&R equipment and services	Douglas County Sheriff's Dept	772,777	8
	communication system upgrade	Douglas County Sheriff's Dept.	750,000	1
	S&R equipment and services	Cascade Rescue, Emergency Services	15,600	2
	emergency van acquire/remodel	Salvation Army	63,700	1
	youth work crew	Phoenix School	2,910	1
	water facility development for fire fighting	Douglas Soil and Water Conservation District (DSWCD)	513,597	2
<b>Forest Related Education</b>	forest effects on Douglas Co. development & culture	Douglas County Museum	175,000	1
	forestry education	Wildlife Safari	128,813	3
	forestry education	Hinkle Creek Research & Demonstration	560,000	4
	forestry education	Oregon Garden	213,088	3
	forestry education	Umpqua Discovery Center	410,000	3
	forestry education	OSU Extension	256,121	3
	forest health	Northwest Youth Corps	119,142	3
	forestry education	Alder Crk. Children's Forest	74,522	1
	forest ed for K-12 children	Umpqua Explorer's club	40,000	1
	public education	Communities for Health Forests	275,000	2
	Tillamook Forest Center	Tillamook Forest Center	50,000	1
	train crews	Phoenix School	3,006	1
	leave no county behind	Assoc of O&C counties	325,000	1
	forestry education	DSWCD Kanipe Park	21,025	1
	landowner education	DSWCD	16,585	1
<b>Fire Protection &amp; Co. Planning</b>	communication system upgrade	Douglas County Sheriff's Dept	500,000	1
	rural area fire planning	Douglas County Planning Dept	236,425	5
	Mapping	Douglas County Assessor	5,000	1
<b>Community Service Work Camps</b>	noxious weed removal	Douglas County	129,426	2

### **Search, Rescue, and Emergency Services**

During the first four years of funding, Douglas County commissioners approved \$4.4 million to support 19 “search, rescue, and emergency services” projects. Nine grants were made to the county sheriff’s department, four to the Douglas Forest Protective Association, two to the nonprofit organization Cascade Rescue and Emergency Services Team, two to the Douglas Soil and Water Conservation District, and one each to the Salvation Army and the Phoenix School (see Table 3).

As the recipient of four grants worth more than \$2.2 million, the Douglas Forest Protective Association (DFPA) is by far the single largest recipient of Douglas County’s Title III funding. Founded in 1912, the primary purpose of the DFPA is to provide fire protection to approximately 1.6 million acres of private, county, state, and BLM wildlands in the Douglas County area. Of these 1.6 million acres, approximately one-third are BLM-managed, one-third are industrial forestlands owned by association members, and one-third are private lands owned by non-association members. Taxes and fees paid through cooperative agreements by owners of the land association support the DFPA and association members also pay membership fees and other dues. Since 1970, the DFPA has had a county crew program whose primary purpose is to provide Douglas County youth with seasonal and full-time employment—teaching both job skills and work ethics and accomplishing fire prevention and fire fighting. Prior to 2001, when Title III funding became available, the DFPA funded three 10-person summer crews. Title III support enabled the county crew program to expand to 10 crews. Most crews are comprised of 16 and 17-year old youth who receive minimum wage (plus overtime); three crews are comprised of youth 18 years or older who receive approximately \$9.45 per hour (plus overtime). These crews reduce fire hazards through various fuels-reduction projects and have brushed many miles of forest roads. They also constitute a pool of trained individuals with fire-fighting expertise. In 2004, crews brushed approximately 120 miles of roads, improved 23 water holes and pump chances (water sources for fire fighting

equipment), and helped fight 26 fires. Since 2001, more than 400 youth have received training and summer employment through the program. Some crews work through the winter on various fuels reduction projects funded by the National Fire Plan. National Fire Plan funds support Title III-funded crews to implement fuels reduction projects that are part of the Title III-funded community fire protection plan process.

The nine grants to the Douglas County Sheriff’s Department, which total just over \$1.5 million, reimbursed the county for search and rescue efforts on federal lands, and provided funding for equipment purchases and search and rescue infrastructure. The largest grant (\$750,000), will upgrade the county’s emergency radio communication system, including the construction of new radio tower sites in rural portions of the county to provide and improve radio reception on federal lands, and upgrading outdated radio equipment and antenna site facilities. Improving radio reception will significantly enhance personnel safety and improve the effectiveness of search, rescue, and fire protection activities on federal lands in the county. This project benefits both search and rescue as well as fire protection—both of which are authorized Title III expenditure categories.

The other eight grants to the sheriff’s department were used to reimburse the county for expenses associated with search and rescue efforts on federal lands and equipment purchases. The Diamond Lake area of the Umpqua National Forest and the Winchester Dunes portion of the Forest Service-managed Oregon Dunes National Recreation Area are two locales where the county is the first responder for search and rescue and emergency operations. Before Title III funding became available, the county used general funds to support these services. One county commissioner noted that close attention is paid to the proportion of time county search and rescue units spend on calls on federal lands as opposed to non-federal lands, and reimbursement payments are made only for those activities taking place on federal lands.

The Douglas Soil and Water Conservation District has received two Title III grants worth a

total of \$513,597. These grants, along with about \$100,000 from the Medford BLM RAC, supported the district's efforts to develop water sources for fire fighting in the more inaccessible and remote southern portions of the county. The goal of the project was to have a water source within 2.5 miles of any point in the county. As Walt Barton, a district employee, noted, "If we can save one fire from getting away, they're all [the ponds and tanks] paid for." So far, the district has used these funds to identify and prioritize potential sites and to construct several ponds and tanks. Almost 25 spring-fed ponds and tanks have been constructed, the majority of which are in the southern portion of the county. The location of each water source is mapped and that information will be shared with the county's fire fighting agencies. The soil and water conservation district has also received significant Title II funding; those projects and the overall importance of P.L. 106-393 for the district are discussed below.

The last four Title III grants under the "search, rescue, and emergency services" category include two grants to the Cascade Rescue Emergency Services non-profit organization, and one each to the Salvation Army and the Phoenix School in Roseburg. The Cascade Rescue and Emergency Services is a volunteer-based organization that provides emergency rescue services in a remote region of the Umpqua National Forest. Title III support is used for vehicle maintenance, insurance, and other required fees. The organization uses community fundraisers and donations to purchase other needed supplies and equipment. The grant to the Salvation Army is to outfit an emergency disaster van that would provide meals and other support services to victims and emergency personnel at disaster sites. The Salvation Army provides significant in-kind contributions to this project, and will donate food, time, and volunteers to operate the van during police emergencies, search and rescue missions, and natural disasters, thus saving the county additional money. The Phoenix School received a small grant to support a youth work crew. The Phoenix School is an award-winning private school in Roseburg that has pioneered innovative approaches for meeting the

needs of at-risk youth and helping to propel them forward in productive and healthy directions. This school has also received significant support from the Roseburg BLM RAC; it is discussed below as part of the Title II project analysis.

### **Forest Related Education**

Douglas County commissioners have made a total of 29 grants to 14, mostly non-county, entities for forest related education (see Table 3). The suite of grants made under this category support a diverse array of education-oriented projects. Some grants, like those for the Douglas County Museum, the Communities for Healthy Forests non-profit organization, the Oregon Garden, the Umpqua Discovery Center, and the Tillamook Forest Center, support forestry-related education for the general public. Other grants support after-school forest education programs. These include the Wildlife Safari (with Oregon Natural Resources Research Institute), the Umpqua Explorer's Club, Oregon State University Extension Service, and Alder Creek Children's Forest. A third category of forest education grants support youth employment through conservation projects that incorporate an education component. The work of the Northwest Youth Corps and Phoenix School youth crews fall into this category. A fourth group of research grants support the Hinkle Creek Paired Watershed Applied Research and Demonstration Project. Lastly are projects that support landowner education and a grant to the Association of O&C Counties for their "Leave No County Behind" program. The following paragraphs highlight grants from each of these categories.

Douglas County commissioners have supported the Communities for Healthy Forests organization with two grants totaling \$275,000. Based in Roseburg, the mission of this organization is "to realize the prompt restoration and recovery of the conifer forest in the aftermath of fire and other catastrophic events...." with a particular focus on federal lands. With support from a wide variety of sources including the Cow Creek Tribe in southern Douglas County, Pacific Power Corporation, the Association of Oregon Loggers, Title III programs in three south-

ern Oregon counties, and labor unions, Communities for Healthy Forests uses public education about forestry issues—particularly the need to actively manage forests to reduce catastrophic fires and hasten recovery of burned areas—to advance their mission. Communities for Healthy Forests’ work has included conducting a statewide poll regarding Oregon residents’ perspectives on the need to manage actively for the recovery and restoration of fire-damaged forests and developing a 12-minute compact disk presentation on these issues.

Other organizations promote public education about forests with a more generalized approach. For example, the Umpqua Discovery Center on the Pacific coast is a regional tourist attraction that incorporates natural history and forest and coastal ecosystems interpretative programs. The three Title III grants that the Umpqua Discovery Center has received from Douglas County support the construction of additional natural history and forest exhibits. Visitors to the center (including organized local school groups and out-of-town travelers) will be able to journey on an Americans with Disabilities Act-compliant, indoor simulated trail through a series of interpreted ecosystems. A primary goal of the center is to educate students and the general public about the region’s unique natural resources and about the history of forest management in western Douglas County.

Two examples of organizations that have used Title III grants for after-school forest education are the Wildlife Safari (three grants) and Alder Creek Children’s Forest (one grant). The Wildlife Safari, located on the I-5 corridor south of Roseburg, provided institutional affiliation for the Oregon Natural Resources Research Institute, whose 2-3 core members ran the forestry education program supported by Title III grants. The program focused on teaching advanced public school students (primarily high school) math and science concepts in an applied context by pairing them with agency resource management professionals. BLM and Forest Service staff instructed students in the program in research and monitoring protocols. In consultation with agency managers, students also designed science projects

that would help managers meet information needs. The goal was to create a research-directed learning environment for students with advanced aptitudes. Examples of some of the student-designed research projects include macroinvertebrate surveys for the BLM (involving 21 students from eight high schools) and blister rust and stand surveys for the Forest Service (involving two students). While the county commissioners supported grants to this program during the first three Title III funding years, they denied funding during the fourth year, by which time the institutional affiliation between Oregon Natural Resources Research Institute and the Wildlife Safari had ended. During this period, this program, both before and after the affiliation with Wildlife Safari, had been receiving support from the Roseburg BLM RAC. Some of the issues that led to the discontinuation of Title III support for this program include concerns that it was not tapping into other sources of support outside of P.L. 106-393, that the program involved a relatively small number of students, and that, because of institutional instability, significant portions of the grants were used for salaries of the project proponents.

The Alder Creek Children’s Forest is an after-school education program—but one that has experienced consistent funding denials from both the Douglas County commissioners and the Roseburg BLM RAC. The Alder Creek Children’s Forest’s experience with the Title III process, summarized only briefly here, is important because it raises concerns about the decision-making processes related to the allocation of Title III funds. The Alder Creek Children’s Forest is a nonprofit organization founded in 2002 by Jim Proctor and residents of Douglas County from the education and forestry sectors, as well as the local south Douglas County community. The forest is owned by Jim Proctor, whose family has owned land in southern Douglas County for many years. The 78-acre forest is located in the Alder-Jordan Creek watershed. Neighboring landowners include federal, tribal, and mixed industrial and non-industrial owners. The guiding vision of the Alder Creek Children’s Forest is to “offer a place, partnerships, and programs designed for young citizens to

learn to work together to create healthy, sustainable forests, watersheds, and communities.” This vision is actualized through a wide variety of hands-on forest and watershed management projects, educational camps, and community-based resource management initiatives. These projects, camps, and initiatives target teachers and youth from area schools in southern Douglas County.

Despite the good fit between the nonprofit’s mission and the legislation’s intent, the Alder Creek Children’s Forest has been denied two of the three times it has submitted Title III proposals to Douglas County. It received one Title III grant in 2002 and was denied funding in 2003 and 2004. Despite receiving a grant for \$74,522 when the organization first applied for Title III support, it appears that at least some commissioners were concerned that Mr. Proctor (who both owns the property and chairs the organization that leases the property) might receive personal benefit from Title III funds allocated to support the Children’s Forest. These concerns were aired publicly, in the local press, and at county commissioner meetings held to evaluate Title III project applications.

The conflict of interest concern was investigated by two attorneys—one paid for by the Children’s Forest and one appointed by the county—who reviewed the relevant legal documents (lease agreements, MOUs, etc.) and made recommendations to clarify ambiguous language. After these recommendations were accepted and the changes made, both lawyers assured the concerned parties that the project clearly qualified for Title III or Title II funding. However, two of the three commissioners continued to oppose the project, citing the conflict of interest concerns that had supposedly been laid to rest. In addition, one commissioner has continued to raise questions in public arenas about the landowner’s allegedly unresolved conflict of interest. Despite legal support and the landowner’s spirited defense in the local paper and other forums, damage to the Children’s Forest’s reputation was done. While the Alder Creek Children’s Forest successfully organized and implemented a Summer Area Teachers Institute for secondary school teachers during the

summer of 2005, the organization’s ability to serve area youth and teachers has been hampered by their inability to hire staff—something which the proposed Title III projects would have funded. It is unfortunate that, even after the conflict of interest issue was legally resolved, it remained the primary reason the organization continued to be denied support. The involved parties at the county and BLM Roseburg RAC would have been better served, had they based their evaluation of the Children’s Forest proposals on other criteria.

Four Title III grants have been made in support of youth conservation crews. The Northwest Youth Corps has received three grants totaling \$119,142 and the Phoenix School has received one grant for \$3,006. The grants to the Youth Corps support youth crews doing conservation-related work on BLM-managed land while the grant to the Phoenix School was to train 20 youth in fire fighting skills and to ensure that they are “fire crew ready.” As both of these organizations have received substantial support from the BLM Roseburg RAC, their work and accomplishments are discussed more fully below.

Douglas County commissioners have made yearly grants in support of the Hinkle Creek Paired Watershed Study and Research Demonstration Area. To date, commissioners have awarded this project four grants totaling \$560,000—the most that any recipient has received for forest-related education projects. This watershed research and demonstration project is funded by a wide variety of agencies, industry groups, and others through the Watersheds Research Cooperative in the College of Forestry at Oregon State University. The cooperative supports environmental research on issues related to intensive forest management on private industrial forestlands. On land owned entirely by Roseburg Forest Products, this long-term paired (the north and south forks of Hinkle Creek) watershed study is designed to determine the effects of current forest management practices on environmental parameters such as water quality, fisheries, and aquatic habitat. The demonstration component of the project showcases environmental effects of contemporary forest management practices.



The last two Forest related education grants are the Douglas Soil and Water Conservation District's landowner education project and a grant of \$325,000 to the Association of O&C Counties for the association's "Leave No County Behind" program. The Soil and Water Conservation District's landowner education program focuses on landowner outreach and extension concerning issues related to the importance of tree revegetations for correcting stream bank erosion and enhancing overall riparian ecosystem health. The project will also provide sites for demonstrating riparian forest restoration techniques and practices to students and the general public. The Leave No County Behind program of the Association of O&C Counties is designed to showcase the accomplishments of P.L. 106-393 by using web-based tools to help implement, track, and provide oversight for Titles II and III projects, and to facilitate the development of the Community Wildfire Protection Plans associated with the 2003 Healthy Forests Restoration Act.

### **Fire Protection and County Planning**

Douglas County commissioners authorized seven Title III grants for Fire protection and county planning-related projects. The single largest of these grants was for \$500,000 to support the county's communication system upgrade. This is part of the same project (described above) that a grant to the sheriff's department also supported. Five grants, totaling \$236,425, were made to the county planning department to support efforts associated with developing community fire plans. The seventh grant in this category was made to the county assessor to purchase equipment necessary to complete the assessor's cartographic records of federal forestlands in the county.

The suite of grants to the planning department to support the development of community wildfire protection plans is interesting because of the ways in which this effort dovetails with work supported by the Healthy Forests Restoration Act and Titles II and III of P.L. 106-393. One of the many forest management-related elements of the Healthy Forests Restoration Act is to fund fuels reduction efforts in

rural areas, particularly within the Wildland Urban Interface (WUI) zone. To facilitate this process, the Healthy Forests Restoration Act encourages at-risk communities to develop community fire plans. At-risk communities have rural residential homesites and are relatively isolated from major roadways in the county; hence they are at-risk in terms of potential losses to life, property, and natural resources from wildfire. Title III support enabled the county to develop community wildfire protection plans for 14 rural, at-risk communities. The overall purpose of these plans is to minimize risk from wildfire in Douglas County. This purpose is accomplished through a variety of means, including identifying, prioritizing, and implementing landscape-scale fuels treatment projects, promoting wildfire awareness and public safety, supporting the work of the county's fire districts, and providing education and wildfire prevention knowledge to residents in at-risk communities. The fuels treatment projects identified and prioritized within the community wildfire protection plans can be funded using Healthy Forests Restoration Act funds. They can also be supported using Title II of P.L. 106-393 funding, so long as the benefits to public lands of fuels reduction on lands adjacent to Forest Service or BLM lands can be shown. To date, funding from Titles II and III of P.L. 106-393 and the Healthy Forests Restoration Act has been used to implement fuels reduction projects in the WUI. Title III support for these projects using county work crews is described in the next section.

### **Community Service Work Camps**

Douglas County commissioners authorized two Title III grants to support the county community corrections department's work crews to remove noxious weeds from rock pits and stockpiles and to implement fuels reduction projects at selected sites across the county on BLM land and in the WUI. The noxious weed reduction component of this project is important in terms of reducing the spread and distribution of weed seeds through the rock and gravel used in projects throughout the region. The fuels reduction element of these grants helps prevent the spread of wildfire from public to private lands and

vice versa by removing fuels presently located in the WUI. Corrections department work crews are also supported by grants from the BLM Roseburg RAC. The corrections department has worked closely with the BLM to identify priority project areas. The BLM also provides the equipment, technical guidance, and training necessary to carry out both noxious weed removal and fuels reduction projects.

Clearly, Douglas County commissioners have supported a diverse array of projects using the Title III funds at their disposal. The formal application process for both county and non-county-sponsored projects, combined with the public meetings and press coverage of the Title III funding process, ensures that bona fide projects are funded that comport with the intent of the legislation. The large number of non-county entities that have successfully

applied for Title III support attests to the successful outreach that has accompanied the Douglas County Title III program. Because of the high federal P.L. 106-393 payments, Douglas County Commissioners have had to refuse funding to only a small number of projects. For the most part, these refusals appear to be based on sound reasons such as the fact that a project would be providing a service already provided by another Title III grant recipient, or there was inadequate community support for a project. The Alder Creek Children's Forest project, discussed above, may be the exception—after the initial (and understandable) concerns of the commissioners were addressed, objections persisted based on concerns that legal experts had deemed to be without merit. This appears as perhaps the singular blemish on an otherwise excellent host of Title III projects.

## Title II Projects

Since the passage of P.L. 106-393, the BLM Roseburg RAC has received between \$1.96 million and \$2.02 million per year. This relatively constant allocation to the RAC from the county commissioners is based on a fixed percentage (64%) of the county's total allocation of BLM payments to Title II programs. The other recipients of this Title II money are the Coos Bay, Eugene, and Medford BLM RACs.

### Project Solicitation

In January, BLM RAC project coordinator Jake Winn circulates announcements about the availability of RAC funding for the coming year. Project proposals are solicited through newspaper advertisements; e-mails to groups such as watershed councils, relevant county departments, past project recipients, and RAC members; and internally to BLM staff. In 2005, applications were due April 1 (the due date has fluctuated slightly from year to year). Projects are submitted to the BLM on a standardized project application form. The form asks for information concerning the project's goals and objectives, how it will improve cooperative relationships among people and benefit communities, how it meets the purposes of

the legislation, how a project will benefit federal lands/resources, what it will accomplish, proposed methods of accomplishment, what it will cost, and how it will be monitored.

Once the proposals are received, the project coordinator assembles the project proposals into binders, which are then distributed to the RAC members for review and prioritization. RAC members requested that the BLM rank all the submitted proposals. As part of its continuing effort to not influence the RAC's deliberative process and decision-making, the project coordinator and the Designated Federal Official agreed to rank only the BLM projects; they declined to rank non-BLM sponsored project applications. Each year significantly more projects are proposed to the RAC than can be supported given available Title II allocations. Table 4 shows the total number of applications received each year from the BLM and non-BLM entities. It also shows the number of proposals recommended for funding. As Table 4 shows, while the total number of proposals received has remained relatively constant, there is a steady increase in both the number of proposals from non-BLM entities and the number of funded non-

**Table 4. Number of Proposals Received for RAC Funding, by Year.**

<b>Year</b>	<b>Total # proposals received</b>	<b># of proposals from non-BLM entities</b>	<b>Total # proposals recommended for funding</b>	<b># of proposals from non-BLM entities recommended for funding</b>
<b>2001</b>	32	8	17	6
<b>2002</b>	35	12	18	9
<b>2003</b>	37	16	26	13
<b>2004</b>	29	19	18	14
<b>2005</b>	31	20	16	11
<b>TOTAL</b>	<b>164</b>	<b>75</b>	<b>95</b>	<b>53</b>

BLM entity proposals, with a concomitant decline in the number of funded BLM proposals. These numbers reflect the outstanding job that the RAC has done, both in soliciting proposals from a diverse group of applicants and recommending funding for BLM and non-BLM projects.

### **Project Review, Prioritization, and Selection**

Since the beginning of this RAC, its members have employed a formal decision-making process to prioritize and select projects for funding. Multiple prioritization methods have been used, including a system in which each RAC member identified their top seven proposals, and, later, a system in which members ranked their top 20 projects, assigning the number “1” to their highest priority project and “20” to their lowest priority project. Projects are ranked after RAC members hear project proponents discuss their projects and after the annual field trip to visit past and proposed project sites. During the review process it is also not uncommon for some RAC members to drive to the location of a proposed project and investigate for themselves what the project would entail. Facilitators Elaine Twigg Cornett and Zane Cornett, who have worked with this RAC since 2002, integrate the project scores into a spreadsheet that orders the projects based on their cumulative rank. The project ranking spreadsheet is used to guide discussion at the RAC meeting when deci-

sions are made about which projects to fund. This meeting is often the fourth meeting of the year and usually takes place in June or July. Using consensus as a preferred decision making rule, the RAC discusses which projects to fund, beginning with those projects at the top of the cumulative ranking list. Often, a motion is made to fund the top three or four projects as a group. If the motion is seconded with no objections, the RAC—with the guidance of both the facilitators and the chair—continues to work its way down the list, discussing projects and deciding by consensus whether or not to fund the next project in line. If a project is not recommended for funding, then it is temporarily placed in a “holding bin;” later in the meeting the RAC will return to these projects for further discussion and possibly funding. Generally, a small group of projects is also provisionally approved for funding, pending monies that might become available if an approved project

**Figure 1.**  
**The RAC visiting a stream improvement project**



cannot be implemented or if an unexpectedly large amount of money is carried over from the previous year. This process continues until all the funding has been allocated. Those projects that are not ranked highly on the cumulative ranking list are neither discussed nor recommended for funding, unless a RAC member brings a particular project up for discussion. While this renders the decision-making process more efficient, the RAC's silence on projects it does not recommend for funding can be frustrating to project applicants who want to know why their projects were not funded. While RAC members commented that there are always more worthy projects than funding, the specific reason why some projects are considered more worthy than others are not divulged through this ranking process.

Each RAC member no doubt has their own individual set of preferences regarding how to rank the project proposals. However, at one of its early meetings, RAC members developed a list of 12 criteria that, as a group, the RAC feels should be used to evaluate proposals. The criteria concern both project characteristics and the sorts of benefits projects should generate. In terms of project characteristics, the RAC determined that projects should be scientifically defensible and ecologically and environmentally sound, provide the "most bang for the buck," be ready to be implemented, be durable, and leverage collaborative and cooperative efforts. Regarding the benefits projects should generate, the RAC decided that projects should provide entry-level jobs, contribute to the Douglas County economy, be of appeal to a broad spectrum of the Douglas County general public, provide multiple economic benefits, and improve "livability" within the county. It is worthwhile to note the emphasis within these criteria on the social and economic benefits of projects and the desire to promote collaboration.

Almost without exception, RAC members feel that the decision-making process they have collectively developed works well. The combination of information the binders contain, the presentations by proposal proponents regarding their projects, and the annual fieldtrips all provide a

sound base of knowledge from which to judge the relative merits of different projects. Additionally, the discussion and occasional review of the values and objectives the RAC seeks to advance helps to create a common foundation from which to assess and support or critique project proposals. The ranking system, first done by each RAC member and then collated for a cumulative total that still shows how individual members ranked projects, provides an acceptable way of ordering projects for potential funding. It also provides opportunities for RAC members to question each other regarding the reasons behind their ranking of specific projects. This questioning and subsequent discussion often helps clarify aspects of the project that may not have been apparent.

### **Approved Projects**

During the first five years, the RAC funded 95 projects totaling roughly \$10.1 million. Table 5 shows how many different kinds of projects the RAC has supported and the amount it has allocated by project category.

Of the 95 projects the RAC recommended for funding, 53 (57%) were proposed by non-BLM entities in the amount of \$3.3 million, approximately 33% of the total RAC outlay during the first five years of the program. Non-BLM entities that received RAC funding include the Northwest Youth Corps and the Oregon Youth Conservation Corps, watershed councils (such as the Elk Creek Watershed Council and the Smith River Watershed Council), the Douglas County Corrections Department, the Douglas Forest Protective Association, Douglas Soil and Water Conservation District, Umpqua Soil and Water Conservation District, Alder Creek Children's Forest, University of Washington, Wildlife Safari, and the Phoenix School of Roseburg. The balance of the RAC funding (approximately \$7 million) was allocated in support of the 42 BLM-sponsored projects that the RAC recommended for funding. The following paragraphs provide more information concerning each of the project categories shown in Table 5.

**Table 5. Approved RAC Projects for Fiscal Years 2002-2006**

Type of Project	Amount	# of grants	Accomplishments <sup>8</sup>
Watershed Restoration-fish passage	\$3,603,000	23	Replaced 24 culverts; restored fish access to 47 miles stream habitat
Watershed Restoration-stream habitat	1,289,000	17	Large wood placed in 18 miles of stream for aquatic species, including Coho salmon
Watershed Restoration-project development and information management	551,000	13	
Road Improvement	1,699,000	9	Renovated 9.5 miles of road; renovated 9 sites at risk of failing
Forest health	11,000	1	
Recreation	230,000	3	
Noxious Weeds	678,000	9	
Youth Crews	1,119,000	10	Completed over 8,000 person days of work
Native Seed	34,000	1	
Other (education)	437,000	4	
Other (infrastructure maintenance)	460,000	5	Employed additional Sheriff's deputy for four years; constructed new fire weather station
<b>TOTAL</b>	<b>\$10,111,000</b>	<b>95</b>	

### *Watershed Restoration*

Watershed restoration projects fall into three sub-categories: fish passage restoration, stream habitat improvements, and project development and information management; 23, 17, and 13 projects, respectively, were supported by the RAC in these sub-categories. Table 5 provides some indicators of the scale of work accomplished through these projects. The 24 culverts that were replaced were aging and constituted barriers to fish passage. Their replacement has opened up approximately 47 miles of stream habitat that was previously not available to salmonid and other aquatic species. The state-of-the-art culverts, designed to last 50 to

100 years, also constitute a significant investment in the region's public lands' road infrastructure. Additionally, because of the checkerboard pattern of public/private land ownership, adjacent private landholders, industrial and non-industrial, benefit from these investments. Of the 23 fish passage projects, one each was proposed and implemented by the Elk Creek Watershed Council and the Douglas Soil and Water Conservation District; three were proposed and implemented by the Umpqua Basin Watershed Council; one was implemented by the Umpqua Basin Watershed Council in partnership

<sup>8</sup> These accomplishments do not include work approved in spring 2005 that will be implemented in FY 2006. The dollar amounts and project counts include spring 2005 RAC allocation decisions.

with the BLM; and the rest were proposed and implemented by the BLM.

RAC support for fish passage projects is significant. At approximately \$3.6 million, it represents about 37% of total RAC outlay. Each year significantly more fish passage projects are proposed than are funded, allowing the RAC to prioritize projects that best fit the RAC's evaluative criteria (as described in the previous section). Stream habitat improvement projects include placing large woody debris back in stream reaches to improve habitat for fish and other aquatic species. Approximately 17 miles of stream habitat were improved in this fashion through these projects. Stream habitat improvement projects also include work to restore riparian habitat and stabilize banks to control and prevent sediment delivery. The RAC allocated a total of \$1.3 million to support 17 projects in this category. As with the fish passage projects, these projects entailed significant involvement by non-BLM entities. The Umpqua Basin Watershed Council and the University of Washington each received one grant in this category. The Douglas Soil and Water Conservation District received two grants for habitat improvement projects and the Umpqua Basin Watershed

Council, in partnership with the BLM, received support for three habitat improvement projects. RAC support for stream habitat improvement has increased steadily during the first five years. A slight dip (down to \$130,000) during the fourth funding year—due to a decline in the number of proposals submitted—was followed by a significant increase in funding (up to \$628,000) in the fifth year.

Thirteen projects have been funded in the “restoration project development and information management” category. Three grants were made for restoration project development and 10 for information management. The three restoration project development grants were to the Umpqua Basin Watershed Council. Two of these grants (approved in the third and fourth years, for \$12,000 and \$27,000, respectively) were to enable the council to provide technical support for developing and designing restoration projects. The third grant (approved in the third year for \$125,000) supports the Umpqua Basin Watershed Council's efforts to implement watershed assessments and analyses and to plan restoration projects that span public-private ownership boundaries. The latter is particularly important, given the checkerboard pattern of land

**Figure 2.**  
**Lee Creek culvert during construction**



**Figure 3.**  
**Lee Creek Culvert after construction**



ownership in the region. Additionally, an important advantage of supporting a watershed council to conduct watershed assessments in mixed ownership watersheds is that watershed councils, as a rule, do not face the same problems of distrust that federal land management agencies do with private landowners. This facilitates both the watershed assessment process and the planning and implementation of specific watershed restoration projects.

The RAC has allocated a total of \$386,000 in support of 10 information management projects. Three projects were funded in each of the second, third, and fourth years, with one such project funded in the fifth year. Of these 10 projects, eight were grants to the Umpqua Basin Watershed Council and two were grants to the Douglas Soil and Water Conservation District. Two of the grants to the watershed council were to support the development of a central database for all of the restoration projects in the Umpqua Basin. Such a database will assist landscape-scale restoration planning and the prioritization of future restoration work. Two other grants to the watershed council support the council's efforts to train volunteers to conduct monitoring of watershed health using a variety of different indicators. A grant to the watershed council in the second year supported the council's efforts to develop a watershed monitoring program in the Umpqua Basin, and a grant to the council in the third year funded a project to develop and air commercials on Douglas County television stations about what homeowners can do to protect water quality. The council has also received funding to support a fisheries biologist to conduct fish and habitat inventories at restoration sites in the Umpqua Basin. In year five, the council received a grant to manage its restoration database, to continue its monitoring program in the Umpqua Basin, and to provide technical support to landowners regarding stewardship, restoration, and monitoring. The various monitoring grants that the RAC has awarded the Umpqua Basin Watershed Council illustrate the RAC's commitment to funding formal monitoring efforts.

The two grants to the Douglas Soil and Water

Conservation District supported the fish passage inventory initiative, a multi-party collaborative effort called the Umpqua Basin Fish Access Team (UBFAT) that involves the Oregon Departments of Fish and Wildlife, Oregon Department of Forestry, Umpqua Basin Watershed Council, Forest Service, Bureau of Land Management, timber companies, and non-industrial landowners in the Umpqua Basin. While land management agencies have, for the most part, already conducted surveys to identify barriers to fish passage on their land, this work has not yet been done in the checkerboard ownerships. The purpose of this project is to do the outreach necessary to private landowners in the basin in order to obtain permission to conduct surveys on private property regarding stream crossings and barriers to fish passage. The surveying work will be carried out sub-basin by sub-basin. The RAC's support for the district's fish passage inventory efforts indicates the RAC's interest in addressing issues and challenges that cross landownership boundaries. It exemplifies the ways in which the BLM can use RAC funding to partner with adjacent landowners and other key agencies and organizations to advance restoration objectives both on BLM-managed lands and on adjacent privately owned forestland.

### *Road Improvements*

The primary purposes of the road improvement projects the RAC has recommended for funding are sediment reduction and infrastructure maintenance. These are interrelated objectives; many road projects accomplish both while others are more focused on one or the other. Road projects include resurfacing, decommissioning, and other improvements such as grading and drainage work. A total of nine road improvement projects totaling \$1.7 million were funded by the RAC. The \$1.7 million total is approximately 17% of the RAC's total outlay to date. Both the number of projects and the amount awarded for road projects have declined from one funding year to the next. In the first funding year, four road projects were approved. This dropped to two in the second year and, since then, only one road project per



funding year has been recommended for funding. Each year, some road projects have not been funded—one indicator of the fact that the RAC is consciously choosing to support other sorts of projects in addition to road improvements.

RAC funding for road projects has enabled the renovation of 9.5 miles of road that previously contributed sediment to fish-bearing streams. It has also funded the renovation of nine key sites that were at high risk of failing and contributing large amounts of sediment to streams. Contractors based in Douglas County or counties immediately adjacent to Douglas County did this work, and the restoration projects discussed above.

### *Forest Health*

Only one forest health project has been funded by the RAC. This was an \$11,000 project, approved during the third year, to prepare a forest thinning project that will also improve wildlife habitat. During each of the first two funding years, three forest health projects were submitted to the RAC but none were funded. During the fourth and fifth funding years, no forest health projects were submitted to the RAC. Jay Carlson, the Designated Federal Official, has encouraged the district's terrestrial biologists to submit more forest health project proposals to the RAC. He also acknowledged that the availability of other sources of funding for forest health projects might account for the lack of RAC work in this area. It is also possible that the rejection by the RAC of the first six forest health projects signaled to BLM staff that this project category was not a high priority for the RAC. Gary Schroeder, the vice-chair of the RAC and timber industry representative, noted that forest health projects are generally ranked low by the RAC due to the fact that the threat of litigation raises concern about the ability to implement an approved forest health project. Furthermore, he expressed the opinion that many forest health projects are part of the BLM's overall timber program, which should be able to "stand on its own" without financial support from Title II. At least one of the environmental representatives on the RAC noted that, at the beginning of their

term on the RAC, they never would have imagined supporting a forest thinning project. The fact that such a project was recommended via consensus is indicative of the development of a middle or common ground among RAC members.

### *Recreation*

During each of the first three years the RAC recommended one recreation project. No recreation projects were proposed in the fourth and fifth years. The first recreation-oriented project was a \$123,000 project to construct a site for viewing spawning salmon; the second project was a \$13,000 trail maintenance project; and the third project was \$94,000 to restore and maintain several BLM campgrounds and day use areas. One of the RAC members who represents dispersed recreation said that he "was devastated that there was no money spent on recreation" during the last two funding years, especially in light of the closure of some recreation facilities.

### *Noxious Weeds (and Native Seed)*

A total of \$712,000 has been allocated by the RAC in support of 10 noxious weed-related projects. One of these projects was a \$34,000 project to support the collection and propagation of native seeds for a BLM habitat management area. The other nine projects were for controlling noxious weeds. Of these nine projects, six were awarded to the Douglas Soil and Water Conservation District, one was awarded to the BLM, and two were awarded jointly to the BLM and to Douglas County. Of the three grants that involved the BLM, one was to support Portuguese broom eradication, and two grants involved collaboration with Douglas County in the removal of noxious weeds from rock quarries and piles to minimize the spread of noxious weed seeds through the transport of rock for road building and maintenance work.

The Douglas County Soil and Water Conservation District (SWCD) has been the primary vehicle through which the RAC has supported weed eradication. The SWCD has been actively involved with the Douglas County Weed Advisory Board since the early 1980s and the district cur-



rently serves as the weed board's fiscal agent. The SWCD's involvement in weed eradication work began in 2002 with the establishment of a Noxious Weed Control Coordinator position. Through discussions with other relevant groups and agencies, including the county's public works department and weed advisory board, the BLM, and the Douglas Forest Protective Association, a plan was crafted in which the SWCD would become the primary agency responsible for implementing weed control projects. Support from Title II has been crucial in enabling the SWCD to accomplish on-the-ground weed eradication work. The district's weed control coordinator estimates that Title II support accounts for 70%-80% of the district's total weed control funding. Since 2002, the SWCD has eradicated noxious weeds from 8,854 acres. Each year a larger area is treated. The district treated 675 acres in 2002, 1,972 acres in 2003, 2,560 acres in 2004, and 3,647 acres in 2005. The primary weeds that have been treated include distaff thistle, Portuguese broom, gorse, Scotch broom, French broom, and meadow knapweed. The district has worked cooperatively with the Douglas Forest Protective Association by conducting gorse eradication in areas where the association has conducted fire hazard reduction work funded by the National Fire Plan. The district has also formed the Cox Creek Cooperative Weed Management Area; this effort includes the signing of an MOU regarding weed management by 36 industrial and non-industrial landowners. In 2004, RAC support also enabled the district to begin developing a countywide Cooperative Weed Management Area. This effort includes the creation of a brochure describing the 12 most noxious weeds in the county, surveying for these species, and expanding the weed eradication work. Working through the SWCD on weed eradication work is yet another way in which the BLM, via the RAC, is able to expand its own partnering and collaboration with private landowners on issues that transcend jurisdictional and land ownership boundaries.

### *Youth Crews*

During each of the five founding years the RAC recommended two youth crew projects, one for the Northwest Youth Corps and one for the Oregon Youth Conservation Corps. A total of \$1.1 million has been allocated, representing approximately 11% of the RAC's total outlay. Youth work crews from the Northwest Youth Corps and the Oregon Youth Conservation Corps have completed more than 8,000 person days of work on projects that include trail and campground maintenance, noxious weed removal, tree pruning, tree planting, and native seed collection and propagation. However, while these numbers indicate the scale and scope of the work accomplished through these projects, they only hint at the training, job skill acquisition, and mentoring that are part of the programs. Both the Northwest Youth Corps and the Oregon Youth Conservation Corps, with its links to the Phoenix School of Roseburg, prioritize the educational, skills development, and confidence building components of their curriculum and work projects. These social outcomes are valued both by the BLM and RAC members. For example, Designated Federal Official Jay Carlson understands that these programs are important because of the ways in which they enable the BLM to do something "for the good of the community." He acknowledged that, for BLM staff, embracing the importance of these social outcomes "has been an interesting education" especially when working with youth crews means sometimes getting fewer acres treated.

The consistent level of RAC support for both the Northwest Youth Corps and the Oregon Youth Conservation Corps indicates that RAC members also believe their work includes a social mission, one that involves supporting projects that are designed, at least in part, to exert a positive influence on youth—in addition to accomplishing important on-the-ground outcomes. Without exception, RAC members enthusiastically endorsed the youth projects. One noted, "We love the NYC and the OYCC." The RAC's concern that youth programs benefit

**Figure 4. OYCC youth crew building a fence**



Douglas County youth has led to criticism of the Northwest Youth Corps for employing youths from outside the county. In response, Northwest Youth Corps staffs, with RAC support, have increased their recruiting efforts within the county and applications were received from 36 youth from within the county. Of the 31 job offers that were made, 15 were accepted. The RAC grant also enabled the Northwest Youth Corps to subsidize the tuition that these 15 individuals were required to pay.

Unlike the Northwest Youth Corps, which is a non-governmental organization that accepts applications from across the country and works throughout the Pacific Northwest, the Oregon Youth Conservation Corps is an Oregon State program for Oregon youth. In Douglas County, the vast majority of youths on OYCC crews are from the Phoenix School of Roseburg. The Phoenix School of Roseburg has used the standards, training, curriculum materials, and financial support from Oregon's OYCC program as the starting point for developing part of its innovative and award winning educational package for at-risk youth in Douglas County.

The Phoenix School has blended a variety

of approaches for working with at-risk youths to create its own unique curriculum and programs. The school's Youth Corps Program is an important element of the Phoenix School's curriculum. The program combines a credit-generating educational component that employs cross-learning, e.g., kinesthetic learning-by-doing exercises, with income-generating work, such as the work projects the RAC has funded. Executive Director Ron Breyne notes, "this group that was least likely to be employable now graduates and has 98% employment at living wage jobs."

RAC support for the Phoenix School's Youth Corps Program has been essential for the program's growth. For example, the financial support from the Oregon Youth Conservation Corps is enough to only support four or five youths in the Youth Corps Program. RAC support has enabled the Phoenix School to expand the program to three eight-person crews. These are the crews that, with their trained crew leaders and teacher coordinators, implement the various stewardship and ecosystem management projects funded by the RAC. The Youth Corps Program also includes an Emergency Response Team component in which youths "shad-

ow” first responders such as EMTs and firefighters. The youths that have completed the Emergency Response Team job-shadowing program constitute a trained team that can help first responders during an emergency or natural disaster. The Phoenix School also has a summer work/education program and a school-based stewardship program that runs during the school year.

### *Education*

The RAC has funded a total of four education-oriented projects, one each in the second, third, fourth, and fifth years. These four grants, totaling \$437,000, were all made to the Wildlife Safari/Oregon Natural Resources Research Institute’s forestry education program. This program also received Title III support from Douglas County, as discussed above. The Alder Creek Children’s Forest (also discussed in the Title III section) submitted three proposals to the RAC. None of these proposals was recommended for funding. Privately, RAC members stated that the initial ACCF proposal was not funded due to concerns about the lack of nonprofit status of the organization (it later did become a 501(c)(3) organization) and questions about the lease agreement between the property owner and the organization (which was subsequently amended). When the grant applicant requested that the RAC provide a formal rationale for why the subsequent proposals were not recommended for funding, he was told that the RAC cannot provide such a rationale because the RAC is essentially “silent” about those projects that do not rank near enough to the top of each RAC member’s priority list to be discussed. For those projects that are not discussed before the RAC’s budget is fully allocated, there is no formal rationale or record of decision that can be provided to project applicants to explain why their specific project was not recommended for funding.

### *Infrastructure Maintenance*

The RAC has supported a total of five infrastructure maintenance projects, two in year three, one in year four, and two in year five. In the first

two years there were no proposals submitted in this category. In the third and fourth years, the RAC funded all three of the proposals that they received, and in the fifth year the RAC funded two of the three proposals it received. Two of the infrastructure maintenance projects concern improvements in the communications infrastructure. One project was for the BLM to install a fire weather station, and the second project supported the Douglas Forest Protective Association’s efforts to upgrade Douglas County’s emergency radio system. The latter project is also supported by the Title III program and is discussed in the Title III section of this report.

Three of the RAC-recommended projects in this category consist of providing support to the BLM for funding an additional sheriff’s deputy to patrol and protect BLM-managed campgrounds and other infrastructure. With this support, the BLM has been able to develop a cooperative agreement with the sheriff’s department for three deputy shifts. At least one RAC member who recreates extensively on BLM-managed lands noted that, in response to the increased patrolling activity, law and order problems at campgrounds (e.g., drinking and parties) have declined and the general cleanliness of many areas has increased.

### *Title II Projects Summary*

The project categories to which the RAC has channeled the most support are fish passage enhancement, road improvement, stream improvement, and youth crews. The RAC has dedicated the most funding to fish passage enhancement. The \$3.6 million allocated for this category is more than twice the amount allocated for road improvements (\$1.7 million), the second highest funded project category. The amounts dedicated to stream improvement and youth crews, \$1.3 million and \$1.1 million, respectively, reflect the RAC’s commitment to restoration objectives as well as its social mission. When RAC funding allocations are viewed over the first five years, a strong trend towards supporting more diverse projects is clearly visible. During the second,

third, fourth, and fifth years RAC members chose to reduce funding levels for high-priority project categories, such as road improvements and fish passage enhancement, in order to free up funds to

support the increasing diversity of project proposals the RAC was receiving. In the next section, we discuss the various decision-making processes within the RAC that have resulted in these patterns and trends of project support.

## **RAC Formation, Composition, and Operation**

### **RAC Formation**

The Roseburg BLM RAC was formed in 2001. The BLM Designated Federal Official and other district staff, one Douglas County commissioner, and representatives of the Association of O&C Counties were all extensively involved in the process of determining which applicants should be appointed to serve on the RAC. Extensive discussions about this were held involving BLM staff and the county commissioner. The pool of applicants to serve on the RAC consisted of two lists; one list was comprised of the applications that the BLM had received, and the second list was comprised of the applications that the county had received. Interviews conducted for this case study support the notion that the RAC's composition was designed to achieve a diverse committee. The current BLM Designated Federal Official (who was a field manager when the RAC was formed) noted that the RAC's "initial composition achieved a sweeping representation of diverse interests," and that he has "no sense that the deck was ever stacked....to the eternal credit of the county." It is interesting to note that, during the second iteration of RAC appointments, the county chose to not provide input concerning who should be on the applicant list or who should be nominated from that list to join the RAC. The role of Douglas County in the formation of the RAC appears to have been motivated primarily by the desire to ensure that the process would be a model of the intent and spirit of the legislation. The fact that Douglas County receives large sums of money through P.L. 106-393 no doubt contributed to the desire to ensure this, since a positive track record in this regard would be a necessary but insufficient condition for ensuring reauthorization of the legislation.

### **RAC Composition**

Consistent with the county's hands off approach to this RAC, no county commissioner sits on this RAC. Many, but not all, RAC members' interests and areas of expertise seem to match well with their designated categories. Some categories are not represented, e.g., energy and mineral development, federal permittee, archaeological and historical interests, and wild horse and burro interest groups. Instead of members representing these designated interest groups, the RAC has one more timber industry, dispersed recreation, and environmental organization representative, respectively. Also, the individual in the organized labor category is the assistant principal at a local middle school who no longer holds union membership (although he previously did). He primarily represents an education-oriented interest and, in his own words, he seeks to advance the "well-rounded interests of the community." Prior to being appointed to this slot on the RAC, he served as an alternate—this explains the relatively poor fit between designated category and individual. His predecessor in the organized labor category works in a local mill and is active in the millworker's union. Replacing vacancies on the RAC with alternates makes it difficult to ensure that the alternate does have the skills, affinities, and interests of their new designated category because there are several more categories than there are alternates.

There is also no member on the RAC who represents Native American interests. The one tribe in the area, the Cow Creek Tribe, was not part of the RAC when it was first formed. During the second iteration of RAC appointments, project coordinator Jake Winn did approach the Cow Creek Tribe

concerning their interest in participating on the RAC. The tribe declined to participate at that time. However, in the last few years the tribe has become more active in Douglas County and southern Oregon resource management and entrepreneurial activities. For example, the tribe is a significant supporter of the Communities for Healthy Forests initiative. Furthermore, the tribe's natural resource director is one of the Umpqua Basin Watershed Council's directors and, with RAC project coordinator Jake Winn, serves on the council's finance committee. Given the tribe's widely recognized track record of self-confident and innovative entrepreneurial activity in Douglas County, and the close working relations that exist between its resource director and the RAC project coordinator, it would appear that if the tribe saw benefit in doing so, then it would request to be part of the RAC.

### **RAC Operation**

Since its inception, the RAC has had the same chair and vice-chair. The chair represents an environmental organization (Umpqua Basin Watershed Council) and the vice-chair represents commercial timber industry (through Douglas Timber Operators and C&D Lumber—his place of employment). Coincidentally, the chair of this RAC is also a member of the BLM Coos Bay RAC. At the first meeting of each calendar year, elections are held for the positions of chair and vice-chair. In 2003 and 2004, both individuals were unanimously reelected to their positions. They were also reelected in 2005. The RAC determined that the responsibilities of the chair included: developing a good working relationship with the RAC members while maintaining neutrality, leading the discussion of projects and whether or not to recommend them for funding, ensuring that project presentations provide the information RAC members need to evaluate proposals, ensuring that all those who want to contribute to the discussion have the opportunity to do so, and “look[ing] at the whole picture in pursuit of compromise.”

Since its inception the RAC has also had professional facilitation. A non-agency facilitator facilitated the first two RAC meetings on a

short-term contract. The third RAC meeting had no professional facilitation, but the fourth meeting was facilitated by Zane Cornett and Elaine Twigg Cornett, who had successfully bid for a long-term facilitation contract. Since then Zane Cornett and Elaine Twigg Cornett have continued to facilitate RAC meetings and process. The facilitators and the chair have clearly defined roles. For example, the RAC determined that the facilitators' roles included: guiding meetings and maintaining order; resolving problems and conflicts; taking notes on flip charts during meetings; implementing the group's meeting guidelines; and being circumspect about interjecting their own opinions. As the facilitators noted, having clearly defined roles for themselves and for other RAC members gives them the RAC's “permission” to work with the group to help build collaborative relationships and to keep those relationships working well. In an effort to support positive relationship building, the RAC, with the guidance of the facilitators, has developed a list of meeting guidelines that lay down ground rules for positive interpersonal relations. Having explicit guidelines also provides the facilitators with the opportunity to intervene when a guideline is violated.

The facilitators, who have training and experience in the field of natural resources management, strive to shift the terms of debate and engagement within the RAC to discourage position-based discussion and encourage interest-based discussion. This shift entails moving from discussions based on fixed positions or perspectives regarding an issue, to focusing more on the interests at play and the individuals who are expressing those interests. By focusing on the variety of interests and values that a diverse group espouses, it becomes possible to find ways to collaborate that satisfy a larger set of interests than the win-lose dynamic that prevails within position-based settings.

On average, the RAC meets four times each year and goes on a single one-day fieldtrip. The first meeting of the year usually takes place in February or March. At this meeting, in addition to electing the chair and vice chair, past projects are reviewed,

expectations for the coming year are discussed, membership changes (if any) are reviewed, and the schedule for the coming year's work is determined. At the second meeting, usually in late April or May, the project coordinator distributes the binders that contain the Title II proposals to be reviewed and prioritized. The meeting usually includes a preliminary overview of the proposed projects, a discussion of the pattern of RAC spending to date, and planning for the year's fieldtrip. The fieldtrip is usually scheduled between the second and third meetings. The fieldtrip offers RAC members the opportunity to visit both projects that have been approved in the past to assess project outcomes, as well as to investigate the locations of currently proposed projects. This information is used to help evaluate and rank the year's proposed projects. The third RAC meeting is devoted primarily to presentations by project proponents, both BLM and non-BLM. After this meeting, RAC members rank projects. At the fourth meeting RAC members convene to decide which projects to fund. Using the information gleaned from the fieldtrip, prior RAC discussions, the presentations at the prior meeting, and the ranking spreadsheet the facilitators provide, the RAC begins with the highest ranked projects and, using consensus, goes down the list to determine which projects to fund until all of that year's budget has been allocated.

Many RAC members described the collaborative culture that has evolved within the RAC and attributed this to the facilitators' efforts. Others described the meetings as "fun" and something they look forward to. Still others described the RAC members as involved in an old marriage, one that not only works but in which it is possible to predict what the other person will say. This latter point speaks to the mutual learning that has occurred within the RAC. Many RAC members commented on how much they had learned as a group since its inception. A ranking process in which RAC members can see how each other ranked specific projects fosters this RAC's "learning culture." During the discussion of these projects, RAC members query each other as to the reasons behind their ranking choices. The ensuing discussion often brings relevant information to the

surface that everybody benefits from hearing.

There are other indicators of the RAC's ability to function as collaborative decision-making body. One of these is the fact that, to date, every project funding decision has been made by unanimous consensus. While achieving this track record was not a goal of the RAC, it has become a track record that RAC members are justifiably proud of. Another indicator is the fact that the Secretary of the Interior recognized this RAC and the BLM in 2003 for its accomplishments. The Designated Federal Official at the time and the RAC vice-chair traveled to Phoenix, Arizona to receive the Four Cs award for "communication, cooperation, and consultation for conservation," from the Department of Interior.

Both the facilitators and RAC members have noted other reasons for the RAC's collaborative culture and ability to make consensus-based decisions. For example, the facilitators noted that the BLM did an excellent job in choosing who should serve on the RAC when it was first established. They said that by populating the RAC with diverse and thoughtful people, the BLM set the initial conditions that allowed the RAC's eventual success to emerge. RAC members and the facilitators also acknowledged the important and positive role that the BLM continues to play. Without exception, RAC members expressed appreciation for the supportive efforts of Project Coordinator Jake Winn and Designated Federal Official Jay Carlson. The facilitators also noted the extensive staff time that the BLM has devoted to the RAC and they commented on how well the BLM seems to listen to the RAC and respond to what it hears by presenting the RAC with a menu of projects that reflects the RAC's own interests and priorities.

Having articulated the successes of this RAC and suggested reasons for those successes, it is also important to note a few shortcomings that emerged during the fieldwork for this case study. One concerns the depth of deliberation and discussion surrounding proposed projects. A few RAC members expressed concern that the very success of their decision-making process and efficient, well-facilitated meetings has resulted

in a situation in which, perhaps, RAC members do not debate or deliberate the basic or core elements of proposed projects and get down to “real conversations about how to spend the money.” Despite such concerns, those RAC members expressing them also acknowledged that the system they have developed “is a reasonable solution for the purposes of the legislation,” and that, even if more deliberation did take place, “the outcome would be the same in terms of projects [recommended by the RAC].”

A second concern revolves around potential conflict of interest issues. Several RAC members represent organizations that benefit from RAC funding decisions. Organizations such as the Umpqua Basin Watershed Council, the Phoenix School, and the Wildlife Safari/Oregon Natural Resources Research Institute have benefited from RAC funding and also are represented on the RAC. RAC members are cognizant of this issue and are also aware that the appearance of a conflict of interest issue is as weighty in the eyes of the public as an actual conflict of interest. That said, the oft-used means of dealing with a potential conflict of interest, e.g., recusing oneself from the decision-making process when the issue arises, is not feasible given the ranking system that the RAC has developed. Instead of addressing the issue using the rather formalistic method of recusal, the RAC has instead decided that members with potential conflicts of interest can still participate in consensus-based decision-making but cannot make motions or vote on projects in which they have an interest. While this approach may work well in terms of the internal decision-making dynamics of the group, it remains to be seen if it satisfies groups that do not have representatives on the RAC whose proposals the RAC does not recommend for funding.

An example of such a group is the Elk Creek Watershed Council. There are tensions among the Elk Creek Watershed Council, the RAC, and the Umpqua Basin Watershed Council, rooted in current political divisions within the county, past differences of opinion regarding the advisability of forming this watershed council in the first place, and the perception by some residents of the Elk Creek watershed

that they were being left out of developments in the central part of the county. These broader dynamics that are much larger than the RAC set up a situation in which, if the RAC does not recommend a proposal by the Elk Creek Watershed Council — as has happened — then the council would (and has) assumed that the reasons for not funding the proposal were without merit and tied up with these larger tensions, and furthermore, that conflicts of interest played a role in the proposal’s rejection. Cases such as this raise the bar for the RAC, in terms of ensuring that their ranking and evaluative process is transparent and defensible and can be easily communicated to people not on the RAC. This example also speaks to the importance of outreach and extension and decision-making that includes all regions within the RAC’s jurisdiction.

A last point to note is that at least two RAC members expressed the concern that the BLM does not propose enough recreation projects for the RAC to consider funding. One RAC member noted that the BLM has a “backlist of culverts but not for recreation.” This person also recommended that the BLM develop partnerships around recreation-related projects similar to their successful restoration-oriented partnerships. He noted that youth groups in the county would like to partner with the BLM for recreation-related work, but they first need the BLM to better integrate recreation into its work portfolio. It is clear that recreation-related projects have not been a high priority for the BLM or, for that matter, many of the individuals serving on the RAC. This is perhaps a reflection of the legislation itself, which does not specifically mention recreation as a project category, although recreation infrastructure can and has been supported elsewhere, particularly where improvements are tied to forest and watershed health. It is also a reflection of the BLM’s primary orientation toward natural resource management, which might be summarized as a combination of utilitarian and conservation objectives. Designated Federal Official Jay Carlson underscored these twin objectives, when he noted that the Title II funding helps the BLM “have two hands full”—one hand for resource extraction and commodity production

and the other hand for conservation and restoration-related work. RAC funding for projects helps the BLM keep their “second” hand full. While this orientation speaks to the importance of RAC funding

for the BLM’s restoration and conservation work, it also offers a reason why the BLM has not proposed numerous recreation projects to the RAC.

## Conclusion

This case study has examined Douglas County’s Title III program and the Roseburg BLM RAC. The county’s Title III program has been extremely successful. The formal application and review process required for all Title III projects is transparent and ensures that approved projects comport with the intent of the legislation. Each year the county has allocated more than 50% of its Title III dollars in support of projects proposed by non-county entities; Douglas County commissioners should be commended for seeing the wisdom of using the Title III program for strengthening the region’s private and non-profit sector, instead of prioritizing the funding of county government. From the county’s support for the Douglas Forest Protective Association’s youth crew program to the funding of a variety of forest-related education initiatives, the county has shown its willingness to support a broad range of important activities within the project categories spelled out in the legislation. Its support for search, rescue, and emergency services—both public and nonprofit—has strengthened the ability of first responders to be successful in their jobs, and has relieved the county’s budget of the burden of providing search and rescue services on federal lands. The fact that more applications are received each year than can be funded speaks well of the county’s public outreach regarding this program. While rejecting project proposals is never anybody’s favorite task, it is always important that the criteria for rejection (and acceptance) be clear and transparent, and for those criteria to be applied equitably across all project applications. It appears that, in one instance, a Title III application was rejected despite the fact that the applicant had addressed the (valid) concerns that had been raised during the project review process.

The overall success of the county’s Title III

program is perhaps only matched by the qualities of the award-winning Roseburg BLM RAC. There are several reasons why this RAC has a well-earned reputation for being effective and successful. To begin with, both the BLM and the county commissioners of Douglas County wanted the RAC and the Title III program to be successful. There is much at stake for Douglas County because of the size of the county’s P.L. 106-393 payment. Implicit in the county commissioners’ acknowledgement that having Title II and Title III in the legislation was the price of Title I, is the notion that the track record established by these two programs will influence the likelihood of getting the legislation reauthorized and continuing the federal payments. With an eye on these longer term issues, both county commissioners and key BLM staff realized that, in order for the RAC to be successful, a first step was to deliberately populate the RAC with diverse individuals who would be able to perceive the benefits of working collaboratively. Both the county commissioners and the BLM subsequently played roles consistent with their interest in having the RAC be as successful as possible. For the county, this meant playing an entirely “hands-off” role with respect to the RAC. While Commissioner Doug Robertson did attend the first one or two meetings of the RAC in order to discuss the overall importance and purpose of the legislation, the county has not been involved in RAC deliberations; furthermore, it has consistently endorsed and supported the RAC’s decisions regarding which projects to recommend for funding.

The BLM has also played an admirable role in supporting this RAC. While perceiving the benefit of professional facilitation, the BLM was also quick to learn that the facilitator needed to be someone outside of the agency. By the third or fourth meet-



ing of the first year, an outside facilitator team was engaged. This team (Elaine Twigg Cornett and Zane Cornett) continues to work as facilitators for the RAC. Although they have suggested that they are no longer essential to the RAC's functioning, RAC members themselves have requested that the facilitators remain with the RAC—this shows that even though this group values “getting dollars on the ground,” it is also willing to invest some of its funding in facilitation services. The facilitators' focus on fostering productive and positive relationships among RAC members and shifting frames of references from position-based to interest-based, combined with their experience and background in natural resources and public lands agency issues, has enabled them to play an extremely constructive role in helping this RAC develop its culture of collaboration. The facilitators also play important roles during RAC meetings in terms of meeting facilitation and the development of the RAC's polished system for prioritizing, ranking, and choosing which project proposals to recommend for funding. The RAC's large operating budget affords it the luxury of paying for facilitation, while still having a significant pool of money with which to support on-the-ground projects.

The Roseburg District of the BLM has also chosen to prioritize working with this RAC in constructive ways and to dedicate as much staff support as the RAC requests. For example, Project Coordinator Jake Winn is credited by many on the RAC for the myriad ways in which his efforts have contributed to the RAC's success. Mr. Winn, who has been project coordinator since the RAC was formed, has been able to prioritize his RAC responsibilities within his own job description. This means that, in addition to the work of soliciting project applications, organizing and distributing the binders of applications, helping to arrange RAC meetings and fieldtrips, and generally playing a support role for the RAC, Mr. Winn has also been able to respond to RAC members' requests for information concerning the “spending habits” of the RAC. Each year Mr. Winn prepares detailed spreadsheets, graphs, and pie charts that depict

the overall pattern of RAC spending for that year as well as all previous years. Information such as RAC spending by category, the ratio of funded to unfunded project applications by category, and the ratio of BLM to non-BLM project funding by category is presented each year to the RAC. This comprehensive quantitative record of what the RAC has chosen to do with its annual budget has proven very useful for RAC members as they assess what they have accomplished to date and determine what, if any, adjustments they would like to make in subsequent years.

BLM support for the RAC does not stop with the project coordinator. The fact that the current Designated Federal Official was previously a field manager within the Roseburg District before being promoted to the position of district manager means that he has long experience with the communities that comprise Douglas County and extensive local knowledge of the region. Like the county commissioners, he too is invested in the success of this RAC. The BLM staff that develop project proposals for consideration by the RAC have also been commended by RAC members for their willingness to provide further documentation regarding projects when such requests are made. Furthermore, RAC members generally expressed appreciation for the professional quality, both in terms of content and delivery, of the presentations by BLM staff at RAC meetings regarding their proposed projects.

Another factor that accounts for the RAC's success is the fact that its boundaries are coterminous with Douglas County. There are several implications that follow from this fact. First, it is relatively easy for all the members of the RAC to attend meetings because they do not have to travel long distances. This helps account for the high attendance levels at RAC meetings, even though this RAC meets on average four times a year. Secondly, it can be argued that the RAC members share a sense of place because they all belong to Douglas County. Because of residing in the same county, RAC members see each other outside of RAC meetings more often than occurs in large, multi-county RACs. They are also more likely to be involved in other

civic, non-governmental, religious, or other organizations; if this is the case (and it is for at least some RAC members), then being part of social networks outside the RAC further strengthens the social relations that support the collaborative culture of the RAC. Thirdly, when it comes to disbursing RAC funding, RAC members don't have to worry about achieving equity across multiple counties (although within-county parity is still an issue) nor do they have to grapple with understanding and evaluating restoration and other stewardship needs across a large multi-county RAC, parts of which they may never have visited. The mental challenge of evaluating landscape needs is easier when dealing with one county than several.

Given the ways in which the cards are stacked in favor of this RAC, it is perhaps not a surprise that the approximately \$2 million they allocate annually has accomplished much on-the-ground work. Like the county's Title III program, this RAC has been serious about supporting BLM and non-BLM projects; 53 of the 95 proposals the RAC has recommended for funding have been from non-BLM entities. This unusually high proportion speaks to the importance that both the RAC and the BLM attach to partnering with non-BLM organizations. It also reflects the checkerboard pattern of public/private landownership that characterizes the O&C lands. As Designated Federal Official Jay Carlson remarked, "we are a neighborhood." It is clear that the RAC understands "neighborhood" in the ecological as well as social sense. The fact that outlays for fish passage enhancement are the largest expenditure category (more than twice the amount of the next highest—road improvements) speaks to the RAC's prioritization of its restoration mandate. However, the RAC also has a clear and shared understanding of its social mission, as evidenced by the fact that it recommended funding 98% of all applications involving youth crews (which is a significantly higher percentage than for any other project category) and requested that the Northwest Youth Corps concentrate more of its recruitment efforts within Douglas County.

The RAC also understands that its work entails more than fish, roads, and youth. Although these continue to be priority areas of attention for RAC focus and funding, there has been a distinct diversification of RAC support for more and different kinds of projects. For example, RAC support has grown for projects in the infrastructure maintenance, restoration project development, education, and information management categories. This increase in the diversity of projects that the RAC now supports reflects shifts in the types of project applications that are submitted, and a maturing process within the RAC as members broaden their own understanding of the RAC's role and the types of benefits it can provide.

One indicator of the organizational maturation of the RAC is its support for projects involving the collection of information regarding restoration needs and outcomes. Projects such as fish passage inventories and databases of past restoration projects combined with habitat surveys at restoration project sites are providing the RAC (and indeed the whole restoration community) with important landscape-scale tools and layers of information. These tools and information layers are essential for effective site evaluation and strategic investment of limited restoration funds. They are beginning to enable the RAC to adopt a landscape-scale perspective when it comes to determining how they can most effectively be part of the neighborhood. The Roseburg BLM RAC is one of the few RACs that has begun the tasks necessary to organize its work and activities at a landscape scale.

Lastly, by supporting the work of the Northwest Youth Corps and especially the Oregon Youth Conservation Corps and the Phoenix School, the RAC is also becoming an agent of positive social and community change. The programs of these organizations are more than a job in the woods. The youth crews associated with the Phoenix School are part of an overall package that has been recognized for its success at enabling youths to escape the pitfalls endemic to impoverishment. Rather than dropping out of school as socially- and self-defined failures, youth partici-

pating in the Phoenix School programs are graduating from high school and going on to become contributing citizens. While achieving lasting changes in the social and community structures of these underprivileged segments of Douglas County will take longer than the first iteration of P.L. 106-393, it is clear that the Roseburg BLM RAC has taken seriously the legislation's mandate to use Title II funds to advance both ecological and social sustainability.

## **Interviewees**

Dennis Acton, RAC member  
Judy Bacon, RAC member  
Walt Barton, Douglas Soil and Water Conservation District  
Ron Breyne, RAC member  
Bill Burnett, RAC member  
Shirley Cairns, RAC member  
Jay Carlson, Designated Federal Official for P.L. 106-393  
Zane and Elaine Cornett, RAC facilitators  
Mike Estes, RAC member  
Javier Goirigolzarri, RAC member  
Janice Green, RAC member  
Marilyn Kittleman, Commissioner, Douglas County Board of Commissioners  
Bob Kinyon, RAC member (chair)  
Dave Lorenz, RAC member  
Mike McCormick, Douglas Forest Protective Association  
Debbie Mendenhall, Office of the Douglas County Board of Commissioners  
Ryan Ojerio, Program Manager, Northwest Youth Corps  
Don Ollivant, RAC member  
Doug Robertson, Commissioner, Douglas County Board of Commissioners  
Lee Russell, Coordinator, Elk Creek Watershed Council  
Gary Schroeder, RAC member (vice-chair)  
Dennis Sifford, Douglas Forest Protective Association  
Mary Jane Snocker, RAC member  
Melvin Thornton, Douglas Forest Protective Association  
Paul Utz, RAC alternate  
Dan Van Slyke, Commissioner, Douglas County Board of Commissioners  
Jake Winn, RAC Project Coordinator/Restoration Coordinator

## CHAPTER 4

### COUNTIES' CHOICES: OPTING IN OR NOT AND DETERMINING ALLOCATIONS FOR TITLE II AND TITLE III

#### *Counties' Allocation of Funds Between Title II and Title III*

All of the counties in this set of case studies have chosen to receive secure funding under P.L. 106-393. With the exception of three counties in Pennsylvania that waited until 2003, all the counties made the decision in 2001, during the first year of implementation of the legislation, and received their first payments in 2002. This sample is comparable to the national picture, where slightly more than 85% of the eligible counties had opted into the program by late 2004 (Ingles 2004). The number of counties participating in the program will not have decreased since then, and it may even have increased, given that once counties opt in they must remain in the program until September 2006, when the current Secure Rural Schools and Community Self-Determination Act legislation expires.

Table 1 shows the allocations to Titles I, II, and III for all counties nationwide receiving P.L. 106-393 payments.

**Table 1. P.L. 106 - 393. Allocations by Title**  
(Percentages are the Combined Title II and Title III Allocation)

<b>Bureau of Land Management (BLM) payments</b>						
<b>Year</b>	<b>Title I</b>	<b>Title II</b>	<b>Percent II</b>	<b>Title III</b>	<b>Percent III</b>	<b>Total</b>
2002	\$93,168,969	\$7,720,339	46.8%	\$8,790,960	53.2%	\$109,680,268
2003	\$93,974,054	\$8,291,249	50.0%	\$8,292,407	50.0%	\$110,557,710
2004	\$95,101,743	\$8,572,365	51.1%	\$8,210,296	48.9%	\$111,884,403
2005	\$96,338,065	\$8,807,719	51.8%	\$8,193,116	48.2%	\$113,338,900
<b>Total (BLM)</b>	<b>\$378,582,831</b>	<b>\$33,391,671</b>	<b>49.3%</b>	<b>\$33,486,780</b>	<b>50.7%</b>	<b>\$445,461,282</b>
<b>United States Forest Service (USFS) payments</b>						
<b>Year</b>	<b>Title I</b>	<b>Title II</b>	<b>Percent II</b>	<b>Title III</b>	<b>Percent III</b>	<b>Total</b>
2002	\$311,523,641	\$24,931,009	41.9%	\$34,535,822	58.1%	\$370,990,472
2003	\$313,697,037	\$30,447,515	50.6%	\$29,754,094	49.4%	\$373,898,646
2004	\$326,528,693	\$32,645,466	52.5%	\$29,511,373	47.5%	\$388,685,532
2005	\$330,405,366	\$33,009,159	52.0%	\$30,435,732	48.0%	\$393,850,257
<b>Total (USFS)</b>	<b>\$1,282,154,737</b>	<b>\$121,033,149</b>	<b>49.9%</b>	<b>\$124,237,021</b>	<b>50.1%</b>	<b>\$1,527,424,907</b>
<b>Total (BLM and USFS combined)</b>	<b>\$1,660,737,568</b>	<b>\$154,424,820</b>	<b>49.5%</b>	<b>\$157,723,801</b>	<b>50.5%</b>	<b>\$1,972,886,189</b>

There is a clear difference between the first and second years, as counties allocated more to Title III in year one because RACs were either not yet functional, or were just getting started. In subsequent allocations, there has been a slight shift towards Title II, resulting in an allocation since then that is close to 50% for each of Title II and Title III. The 20 Oregon counties that participate in the five Bureau of Land Management (BLM) RACs show a similar aggregate county funding pattern to those receiving Title II through the Forest Service. With the exception of the first year, the BLM RACs have been consistently allocating their funds in a similar way, dedicating approximately 50% to each Title.

Aggregating data nationally inevitably obscures potentially significant differences between counties, differences that emerge more clearly when the 16 case studies in this review are considered separately. The case studies cover 46 counties and cities that are receiving P.L. 106-393 payments of over \$100,000. The majority of the 46 counties have chosen to allocate more funding to Title II than to Title III. They have also tended to stay with their original allocation with only minor changes from one year to the next. The case studies represent a deliberately skewed sample since the review was designed to focus on an analysis of counties participating in RACs. Nevertheless, the nationwide data presented earlier in Table 1, confirm that, in the aggregate, counties have allocated nearly half of all eligible P.L. 106-393 funds to Title II, and that there has been little significant change in their allocations since 2003.

The data on payments to counties participating in Forest Service RACs show that 28 of the 46 counties included in our case studies have elected to allocate most or all of their funds (over 55%) to Title II (Table 2).<sup>1</sup> Between 2002 and 2004, nine of these counties moved a significant additional percentage (over 5%) of their combined Title II and Title III funds from Title III to Title II. Just five of the 28 counties increased the percentage of funds allocated to Title III during the same period, although they are still allocating more funds to Title II than to Title III. Fourteen counties have allocated all or most of their funds to Title III, six of them shifting more than 5% of the combined total to Title II, while still allocating over half of their funds to Title III. Four counties have divided their funds equally between Title II and Title III.

It is interesting to note that most of the allocations (26 counties, or 56%) have remained stable. Counties have made minor variations from one year to the next, but overall, they have stayed with the choice they made at the beginning of the program. As counties have become more familiar with the secure payments program, some have adjusted their initial choice, and the shift has been decisively in favor of Title II with 15 counties (33% of the total) moving 5% or more of their combined Title II and Title III funds to Title II. The data indicate that counties have shown a clear – and growing – preference for investing in Title II and RACs, while retaining some funds in their control to cover the costs of services and to fund their own Title III programs.

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<sup>1</sup> The BLM maintains a separate database for payments to the O&C counties, which does not match the Forest Service database exactly. As noted in the discussion of nationwide data presented in Table 1, above, allocations between Title II and Title III are very similar for Forest Service and BLM RACs. The analysis here is based on data for Forest Service RACs only, but the broad trends are also applicable to the BLM RACs.

**Table 2. Changes in Allocation of Title II and Title III Funds Between 2002 and 2004**

<b>Title II / Title III allocations and trends</b>	<b>Number of counties</b>	<b>% of counties</b>
Over 55% to Title II. Stable	14	30
Over 55% Title II, with a further shift of more than 5% from Title III to Title II	9	20
Over 55% Title II with a shift of more than 5% toward Title III (but still over 55% in Title II)	5	11
<b>Total: Over 55% of funds in Title II</b>	<b>28</b>	<b>61</b>
Over 55% to Title III - stable	8	17
Over 55% in Title III, with more than 5% shift to Title II (but still over 55% in Title III)	6	13
<b>Total: Over 55% of funds in Title III</b>	<b>14</b>	<b>30</b>
<b>50% each to Title II and Title III - stable</b>	<b>4</b>	<b>9</b>
<b>Total number of counties</b>	<b>46</b>	<b>100</b>

Source: U.S. Forest Service, Payments to States web page.

(NOTE: Percentages are of the combined total of Title II and Title III funds. "Stable" means that any changes are smaller than 5% of the combined Title II and Title III funds.)

### ***Taking Stable Payments or Staying with Historic Receipt Payments***

In choosing whether to opt into the secure payments system of P.L. 106-393, counties have had to judge whether or not the new payments would be higher than their revenue under the Forest Service and BLM payment programs. For most counties in western states, confronted with the stark economic realities of continued reliance on federal receipt payments and dramatic declines in timber harvest, the decision was relatively straightforward. As the center of gravity of the U.S. timber industry shifted east and south, however, counties in these regions had to base their decision, not on recent experience, but on their expectations of future trends. For example, county commissioners in Franklin County, southwestern Mississippi, were inclined to continue receiving the 25% payments, in the belief that timber harvests on the Homochitto National Forest would remain stable. In this case, Forest Service staff presented projections to the county that accounted for expected reductions in harvest due to requirements for habitat protection, and pending legal challenges to management practices. The other counties surrounding the forest, and other forest counties in the state, all opted into the secure payments system out of the same concern that future timber harvests would not continue at present rates.

One strand of the debates leading to the passage of P.L. 106-393 was the question of whether or not the new legislation would decouple, or break the linkage, between timber harvesting and forest counties' revenue. Leaving aside the issue of whether or not P.L. 106-393 promotes decoupling, or whether decoupling would be desirable if it were to happen, the fact is that some county officials considered this argument as they made their decision about opting into the new program, and it influenced the ease with which some embraced it. In practice, in the sixteen cases we evaluated, there were only two places where interviewees specifically mentioned decoupling as a factor in the county's decision of whether or not to opt into the secure payments system. In two of the four counties surrounding the Allegheny National Forest in Pennsylvania, county officials said that one of the arguments that swayed them not to opt into the secure payments system in 2002 was the fear of losing standing to challenge litigation as a result of decoupling (an unfounded fear, according to the counties' legal counsel). In Alaska, informants in Wrangell and Petersburg mentioned that decoupling had been an issue as the two cities discussed establishing a RAC. Their conclusion, though, differed from that of their counterparts in Pennsylvania. The two cities elected to join forces to establish a RAC, believing that the projects it approved would, in fact, strengthen the linkages between their two communities and management of the surrounding Tongass National Forest.

A recurrent theme in interviews with county officials and planners was the importance of the security afforded by payments under P.L. 106-393. Secure payments are particularly critical where counties have no alternatives to raise funds for roads and schools, and face constraints on their ability to raise general fund reserves. In some states, voters have approved measures limiting or freezing tax rates and the powers of local governments to raise revenue. In Montana, for example, Initiative 105, approved by the state's voters in 1986, capped property taxes at 1986 levels, and specifically prohibits "taxing units," such as school districts or counties from tax levies.<sup>2</sup> Cities and boroughs in Alaska have certain responsibilities for education and road maintenance, but have significantly more restricted powers to levy taxes than counties in the lower 48 states. In many states, too, communities adjacent to national forests are among the poorest in the state, or even in the nation, limiting the tax base that would be the main source of funding for education and road maintenance. The most pressing task for these counties is to secure long term, stable funding to provide these services. Title I of P.L. 106-393 is, therefore, a welcome, secure source of revenue for eligible counties.

Elected officials in nearly all the counties in these case studies described the decision to move from the receipt-based payments to the new secure payments as an easy one in light of the financial difficulties they faced with declining timber harvests.<sup>3</sup> The experience of Franklin County in Mississippi and others in this study that first chose not to receive P.L. 106-393 payments suggests that nationwide, those counties that have chosen to continue receiving receipt-based payments have done so because they are confident that they are unlikely to experience sharp reductions in timber harvest in the near future. In some cases, there may already be so little timber harvested that the issue is

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<sup>2</sup> The implementation of Initiative 105 has, in practice, been more nuanced with differential impacts on different components of local taxation (see Young 1996).

<sup>3</sup> Counties had been receiving 25% of receipts from timber harvested on national forests, and 50% of receipts from O&C lands administered by the Bureau of Land Management.



moot, or it may be that challenges to current management practices are unlikely. If the legislation is reauthorized, however, it is quite possible that some additional counties in timber-producing areas of the South, the Midwest, and the East, will take advantage of P.L. 106-393 to ensure a more secure source of revenue in the face of possible future limits on timber harvesting.

### ***Factors Influencing Allocations Between Title II and Title III***

As discussed above, for most of the 48 counties included in the sixteen case studies in this assessment, the initial decision to receive secure payments under P.L. 106-393 was not difficult.<sup>4</sup> Two counties had no further decision to make since they were receiving less than \$100,000 annually, all of which would be used under Title I of the legislation for roads and education. Elected officials in the 46 other counties still had to make a further decision on the allocation of funds between Title II and Title III. The case studies include the full range of possible allocations from electing to use all funds for Title II, to various mixes of Title II and Title III funding, to some counties that decided to retain all of their funds in Title III. (See Appendix 1 for a list of counties included in the case studies and their allocations). This section of the report outlines some of the factors that appear to have influenced counties, each of which faces a unique set of social and economic conditions, in their decisions. Later sections will report on and analyze the ways in which counties and Resource Advisory Committees (RACs) have chosen to allocate these funds.

In explaining how they elected to divide payments between Title II and Title III, county officials referred, also, to their understanding that one of the intents of the secure payments legislation was to encourage the collaborative process embodied in the RAC. It is widely believed that evidence of successful RACs will enhance the likelihood of reauthorization of P.L. 106-393. Since secure payments are of vital importance to their capacity to provide critical services, most counties were eager to ensure the success of the RAC experiment. Enthusiasm for Title II is, nevertheless, tempered by the degree to which county budgets depend on forest-related revenue, concerns over the loss of control over the use of funds, and the level of confidence in the ability of a RAC to overcome a history of conflict among different interest groups. The calculus of decision-making is complicated further by the possible effects of P.L. 106-393 payments on other sources of federal or state funding to counties, such as Payments in Lieu of Taxes (PILT).

### ***Effect of PILT and Other Legislation***

Title III funds are considered federal payments to counties and are counted against Payment in Lieu of Taxes (PILT). Thus, when Title III payments are received, PILT payments are likely to be reduced. PILT payments can be substantial and enter the county's budget directly as revenue, without the constraints on expenditures attached to

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<sup>4</sup> The case studies also include five counties that receive no P.L. 106-393 funds at all because there is no public forest within their boundaries, but are represented on RACs because of their proximity and use of national forests. These counties have not been counted in the following discussions about allocation of Title II and Title III funds.

Title III payments.<sup>5</sup> The formula by which PILT payments are calculated, however, is very complex, and payments have often not been fully funded, whereas Title III payments are currently not subject to annual federal budget negotiations in Congress and the Senate. (See Chapter 2 for a more detailed discussion of PILT payments.)

For most counties, the amount of revenue and the reliability of payments from P.L. 106-393 far outweigh any possible reduction in PILT and they have preferred to retain funds in Title III. For some counties, however, total P.L. 106-393 payments are relatively modest, so that the loss of PILT payments has an important impact on the county budget. In these cases, the tendency is to allocate funds to Title II. Officials from the counties in the Colville RAC (Washington) said that they had changed their allocations in favor of Title II because of the impact of Title III payments on their PILT receipts. In the case of Ferry County, the shift had been from 100% in Title III in 2002, to 60% in 2004. By 2004, Pend Oreille and Stevens, the other two counties on the Colville RAC, were allocating all of their P.L. 106-393 funds to Title II. Counties in Washington State, California, Idaho, and Montana all referred to the careful calculations they had to make to avoid losing revenue as a result of their allocation of funds to Title III. Where the decision to allocate funds to Title II has been a mechanism to avoid a reduction in PILT payments, counties have tended to try to extend some control over the composition and decisions of the RAC (see below for observations on county control over RACs). In addition to PILT funds, counties have also had to consider the impacts of other legislative arrangements on their decisions regarding the allocation of P.L. 106-393 funds. In Washington, for example, counties also receive Department of Natural Resources (DNR) Trust funds. In many states, purchasing conservation easements, whether it is with Title III funds or through some other funding mechanism, will reduce the counties' tax base.

The outcome of this complex calculus, in terms of allocations between Title II and Title III is, inevitably, different in each county. What was common to nearly all counties, however, was the absence of readily accessible sources of information to refer to. In Alaska, which has no counties and where different classes of cities and boroughs have different rights and responsibilities for providing services and raising revenue, the Department of Community and Regional Affairs in Juneau has played a major role in generating and disseminating information, and has worked closely with the Forest Service regional office to assist local authorities in their decision-making. In Washington State, counties received an orientation to the legislation by Karl Denison, the USFS Legislative Liaison for Washington State, and Tom Robbins of the Washington State Association of Counties (WSAC). WSAC created an interactive website to enable counties to simulate what their PILT payments would be under different Title III allocation scenarios to assist in sound decision-making. In California, the Regional Forester's Assistant, Chris Nota, worked closely with the national forests to set up the RACs. She has continued to work with the RACs in California and has also provided informal consultation about Title III. Andy Brunelle, the USFS Capitol City Coordinator for the State of Idaho, played a similar role in that state. Idaho and Oregon, as did other states, also relied on their associations of counties for direction and information. But these individuals and groups notwithstanding, a single source of expert information and

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<sup>5</sup> See Appendix 1 for a Table of PILT payments to the counties participating in the RACs in this review.

counsel about the Title III does not exist. Counties that are beneficiaries of the secure payments legislation have been obliged to rely on their own legal and financial expertise to determine how the payments fit into and affect the broader picture of county funding and budgeting. The difficulty that even these professional advisors have experienced in offering informed advice has frustrated many county officers in their efforts to decide on the most appropriate allocation of P.L. 106-393 funds between Titles II and III.

***Dependence on Revenue from Public Forestlands, the Size of P.L. 106-393 Payments, and Transaction Costs to Counties***

Seven of the eight counties in this review that had allocated all of their funds to Title III were in Mississippi and Pennsylvania.<sup>6</sup> In both of these places, the national forests are set in a matrix of private and public forestland, and occupy a relatively small percentage of the land area in the counties. The Homochitto National Forest makes up less than 20% of the land in six of the eight counties in the Southwestern Mississippi RAC. The only counties that have chosen to allocate some of their P.L. 106-393 funds to Title II are the two counties where the national forest makes up more than 20% of their land.<sup>7</sup> On the Allegheny National Forest, the federal government currently owns only 69% of the land within the legally demarcated boundaries of the national forest--the rest is still in private hands. The national forest is an important, but by no means the only, source of commercial timber. It is not the overwhelmingly dominant presence that it is in western states, where it is not unusual for public land to occupy 75% of the area of a county. In the southern and eastern forests, counties' interest in directly receiving compensation for services they provide on the national forest appears to outweigh their interest in supporting projects to improve the health of the forest, leading them, therefore, to allocate funds to Title III.

The total amount of P.L. 106-393 payments a county receives might be thought to affect the decision to allocate funds to a RAC under Title II, or to retain the funds for use by the county under Title III. In the course of interviews for this study, elected officials in some counties explained their reluctance to allocate Title II funds to establish a RAC on the grounds that the transaction costs involved could be higher than the likely benefits. They argued that for counties with low levels of payments, it might not be worth making the necessary investment of time and human resources to establish a committee, which would probably not have enough funds to recommend more than a very few, small projects. The costs involved referred either to the difficulty of persuading different interests to come together, or they referred to the logistics of bringing RAC members together in one place for regular meetings.

In practice, the data show that there is no discernable relationship between total P.L. 106-393 payments and the decision to allocate funds to Title II or to Title III<sup>8</sup>. In

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<sup>6</sup> The eighth was in Oregon.

<sup>7</sup> Five other counties are members of the RAC without contributing any Title II funds. A sixth county is a member of the RAC although none of its land is in the national forest and it receives no P.L. 106-393 funds.

<sup>8</sup> This statement refers only to those counties receiving over \$100,000 in P.L. 106-393 payments, the point at which they are required to allocate funding to some combination of Titles II and III. It is also worth noting that, with the exception of the four counties surrounding the Allegheny

2004, for example, Coos County, a member of the Coos Bay RAC in Oregon, allocated 78% of its combined Title II and Title III funds (\$1,104,566) to Title III. Lincoln County in Montana has elected to allocate 71% of its comparable, if smaller, combined Title II and Title III payment (\$865,866) to Title II. At the other end of the range of payments, Ferry County, a member of the Colville RAC in Washington, only allocates 40% of its total Title II and Title III payment of \$139,798 to Title II, while Navajo County in eastern Arizona allocates the whole of its payment of \$108,906 to Title II. Despite the statements of some elected county officials, in these case studies, the size of the payment a county receives does not, in itself, appear to be a significant factor in determining the allocation of funds between Title II and Title III.

Many counties receiving stable payments are in remote areas, with long distances between small communities and towns. Members of a RAC may face genuine difficulties in traveling to meetings, and, in a large area with a small population, there may not be a large pool of people willing to make the time commitment needed for travel and frequent meetings. Transaction costs are real in these places, and may be a disincentive to allocate funds to Title II, if there are significant logistical costs attached to running it. Alaska may represent the extreme case, where there is no road linking the two communities of Wrangell and Petersburg that have formed a RAC. Participants must travel by private boat or fly to meetings, and may need to stay overnight before returning home after a meeting. In the same state, the Yakutat RAC experienced considerable difficulty in finding enough members in the community of some 800 people to fill all of the positions in the different categories to serve on the RAC during its second term. Despite these very real transaction costs, however, it has been possible to find funding (thanks to assistance from the Forest Service) to cover travel costs, and to actively recruit enough applicants to fill the positions on the Yakutat RAC. Where significant travel is needed for RAC members to attend meetings, it is important either for the RAC to be able to allocate some funds to cover costs, or for the agency or county to be able to assist.

Further analysis of the issue of transaction costs suggests that where it has been raised, it may in fact mask more difficult questions about the relations between the different interests involved in establishing a RAC. In a situation such as Pennsylvania, where the Allegheny National Forest is experiencing a particularly challenging period of confrontation and litigation over management practices, Forest Service staff and county officials may feel that there is little to be gained in trying to bring representatives of bitterly opposed conservation and timber interests to the table for a constructive discussion of projects. While it is true that it is difficult to establish a RAC in a setting polarized by conflicts between conservation and timber, many counties around the country have found that, despite a legacy of bitter divisions between interest groups, establishing a RAC has been an important first step in moving toward a more collaborative future. There are real transactions costs involved in implementing Title II, but to invoke them as a reason to allocate funds only to Title III could also be an indication of a lack of vision and the capacity to move beyond present confrontations and conflict.

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National Forest in Pennsylvania, the sample of 16 case studies in this review deliberately focused on counties participating in a RAC and therefore allocating funds to Title II.

### ***County Control Over Title III Funds***

Counties alone are responsible for the use of Title III funds. Local control is balanced by constraints on the kinds of projects counties may approve, and by the expectation that counties will select projects through a transparent process of solicitation, review, and approval with a period for public comment<sup>9</sup>. By contrast, counties have less direct control over the funds that they allocate to the Title II program, where Section 204 of the legislation makes it clear that final approval of projects selected by a RAC is the prerogative of “the Secretary concerned” (the Secretary of the Department of Agriculture in the case of Forest Service RACs, and the Secretary of the Department of the Interior in the case of BLM RACs) (United States Congress 2000). The multi-interest group RAC, which includes government representatives, provides recommendations for how to allocate these dollars, establishes its own priorities, and is under no obligation to approve proposals submitted by the county.

As noted above, a major factor in counties’ decisions to shift from receipt payments to secure payments has been the urgent pressure to find secure sources of funding for schools, road maintenance, and other county expenditures and services such as search and rescue. Title III is therefore an attractive resource in the eyes of county officials struggling to meet their obligations with scarce funds. State budget crises in California and Oregon in the early 2000s added additional financial pressures on counties and nudged them toward increased Title III allocation and, for some, supporting activities that appeared beyond the spirit and intent of Title III. This is discussed further below. In Pennsylvania, counties are not responsible either for education or for road maintenance. Since counties did not receive the receipt payments for roads and schools in the past, P.L. 106-393 has allowed them to receive Title III funds, giving them access to a new source of revenue. The possibility of retaining county control over Title III funds inevitably enters into the decision when allocating funds between Title II and Title III.

Some counties perceive allocating funds to Title II as being almost the equivalent of turning over a part of their revenue to the Forest Service or the Bureau of Land Management, and they are therefore reluctant to do so. In many formerly timber-dependent communities, a culture of distrust of federal agencies is compounded by a belief that these agencies--rather than a mix of factors including shifting national priorities in environmental protection and changing international timber markets--are directly responsible for policy changes that have led to reductions in timber harvest and timber mill closures.

Some believe that RAC money is not federal money. This belief exists because counties determine how much money RACs have to work with and, indeed, whether they will receive any funding. It also stems from the fact that receipt payments flowed from the federal government to the states and the counties and were not considered federal money. The Office of General Counsel in the Department of Agriculture has made clear, however, that RAC dollars are agency and federal dollars. RACs recommend and the agency’s Designated Federal Official (DFO) approves projects. While it is true that federal agencies retain control over Title II dollars, RAC project recommendations are

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<sup>9</sup> There remains confusion or some dispute over this interpretation. The legislation clearly spelled out what a project entailed for Title II (Sec. 203(b)(1-7)). We have assumed this definition holds for the use of the term “project” in Title III.

rarely rejected. Nevertheless, friction over the proposition that “RAC money is not county money” could, ultimately, lead counties to prefer Title III to Title II, or to try to retain some control over the decisions taken by the RAC. A county supervisor from one of the counties participating in the Fremont-Winema RAC in Oregon, for example, suggested that the DFO working with the RAC should forward the list of proposed projects to the county before it is approved. This is already happening to projects presented to the Medford RAC, also in Oregon. Another county in Oregon has demonstrated its dissatisfaction with what commissioners perceive to be unwarranted agency involvement with the RAC by shifting its allocation decisively from Title II to Title III, and participants at an annual nationwide meeting of RACs in Sparks, Nevada in April 2005 listed “county threats to withdraw Title II funding” as one of their main concerns.

Despite the expressed intentions of some counties to shift funding away from Title II, the national-level data on counties’ allocations of P.L. 106-393 since 2002 do not show strong evidence of counties acting on these threats. The data presented in Table 1 show that the overall pattern of a 50-50 split of funds between Titles II and III has remained quite stable from 2003 up to and including the 2005 round of allocations. Interviews from these case studies suggest that the different purposes for which Title II and Title III monies can be used, and the belief in the importance of the RAC process have been strong enough influences to keep even the more frustrated counties funding Title II.

In a more positive vein, counties that have been close to the formulation and implementation of the legislation or that have a history of testing innovative approaches to bringing different interests together see Title II for what it can be: a potent mechanism for local input into forest management. One of the commissioners of Douglas County, Oregon, who played an important role in getting the initial legislation passed, continues to work through his county and Oregon county associations to ensure that Title II expenditures remain high. Douglas County, which participates in four BLM RACs and three Forest Service RACs, has consistently allocated over 70% of its combined Title II and Title III funds to Title II. Title II funds can have significance beyond the projects the RAC approves. In Mississippi, for example, supervisors in Amite County, one of the two counties in the state allocating funds to the RAC, made a very important observation about the significance of Title II funds for local democratic practice. In their view, the RAC process is a mechanism to ensure that local voices are included in funding decisions affecting activities on the national forests, and by extension, local lives and livelihoods. As county supervisors, they felt confident that the RAC gave all interest groups an opportunity to be a part of decision-making, and, as a result, they as supervisors could be confident that funds were truly being used in the public interest.

A further factor in deciding on the allocation between Title II and Title III is county officials’ perception of the limitations on the use of Title III funds. In Oregon, officials and administrators from Klamath and Lake Counties (the Fremont-Winema RAC) stated, for example, that they would like to fund more on-the-ground restoration-related projects, infrastructure projects such as boat ramps, and the acquisition of real

property – projects they believed were not permitted under Title III.<sup>10</sup> They concluded that had the legislation clearly indicated that these were acceptable uses of Title III funds, it is likely that they would have allocated more funding to Title III and less to Title II. Hence, the current categories of authorized projects under Title III, and county officials' understanding of what fits and does not fit in these categories, may encourage some counties to allocate more funds to Title II and to the more public and inclusive decision-making arena of the RAC than might otherwise be the case.

### ***Timing and the Capacity to Collaborate***

Legislators took pains to construct the process of consultation and collaboration embodied in the RAC with the expectation that it would mark a step away from the entrenched conflicts that have characterized the management of national forests over the last 30 years or more. For counties to take that step and to allocate funds to Title II, however, they must be confident that there is room for discussion and agreement on project priorities. The time must be right for the agencies, the community, and historically adversarial interest groups to be willing to search for a way out of the discourse of blame and the associated policy gridlock that have characterized debates over public land management. Differences in priorities and visions for the future of the forests persist in California, Oregon, and Washington, but decisive legal rulings have set the course of action between conservation and extraction for some years to come. In these western states, the overriding concern of forest counties now is the challenge of coming to terms with the present dispensation. P.L. 106-393 is an integral part of the process of coming to terms, and RACs are one of the mechanisms that can give a voice to different interests while giving them a direct incentive in the form of project funding to reach agreement on some actions – however modest – that benefit the health of the forests and the communities they share.

In the Alaska and Montana case studies, the conflicts are still fresh, the parameters are still being set, and the consequences of conflict are still being felt as the last local sawmills close down and even the large timber corporations sell extensive tracts of their own timber land, often to be converted to housing developments. In these places, along with some pockets in the Pacific West, interviews indicated that some elected officials, and some local interest groups, visualize P.L. 106-393 as a stopgap measure, providing an essential, secure source of revenue until the commercial timber sector can resume business as before. Interest in allocating funds to Title II is closely related to a perception that an effective RAC will be seen as an important measure of the value of P.L. 106-393 in the course of debates about reauthorization. Interviewees in these counties also recognized that RACs have brought different members of the community together to focus on what community members have in common, rather than to dwell on their differences. As a result, county officials are increasingly seeing the value for the longer-term interests of their community in supporting the RACs and allocating more funds to Title II.

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<sup>10</sup> It is interesting to note the diversity of interpretation of Title III limitations. Jefferson County, in Washington State, has used Title III monies to acquire properties for conservation and restoration purposes.

Pennsylvania and most of Mississippi have yet to make the transition from confrontation to the search for agreement. Counties' primary interest is in a source of revenue, rather than in a forum to bring conflicting interests together. The choice of all but two counties in the state of Mississippi, then, has been to allocate all funds to Title III--under the direct control of the county. The Allegheny case study shows even more clearly the importance of the right configuration and timing of events. Conflicts over timber harvesting are still at their height. There is little interest on the part of USFS, counties, timber interests, or environmentalists in looking for common ground and resolving differences. The four counties also differ in their dependence on timber and levels of economic diversification. Counties have an important stake in allocating funds to Title III, because of their perceived flexibility, and county control over a new source of revenue (since counties in Pennsylvania are not responsible for schools or roads). There is very little interest therefore in allocating funds to Title II to establish a RAC, creating a forum to explore common ground and resolve conflict. In communities such as these, the federal agencies have a particular responsibility to ensure that counties are well informed about the legislation, and that they receive the information from the full range of both interested and neutral parties. It may also be useful to facilitate exchanges and conversations with counties that have had several years of experience with the secure payments system, in order to respond to counties' questions and concerns about the implementation of both Titles II and III.

Prior to the passage of P.L. 106-393, several western states had some experience with advisory groups working with both the Forest Service and the BLM to bring a degree of consensus and public participation to the management of public lands. The Lakeview Stewardship Group in Lake County, Oregon, one of two counties in the Fremont-Winema RAC, is one of the best-known examples. In Washington, the Olympic Peninsula has a particularly rich array of civic groups that have brought together communities, state and federal agencies, tribes, local governments, forest workers, and other interests to participate in civic and natural resource decision-making processes. In these and other states, counties with a history of community activity and collaborative efforts in forest management have had opportunities and the support to build the community capacity and social capital that are necessary for a consultative body such as a RAC to succeed. The time was right for them to be ready to invest P.L. 106-393 funds in Title II.

### ***Agency Involvement in Decisions About Title II and Title III Funding***

There is no national oversight of Title III funds and program implementation. Forest Service and BLM staff have been important sources of information and advice to counties in the process of implementing P.L. 106-393. Counties have turned to the agencies for assistance regarding both Title II and Title III, although legally, the agencies have no direct involvement or decision-making authority in matters concerning Title III. Agency field staff appear to have respected the national directive from their agencies to remain objective and not to make recommendations to counties about the allocation of funds between Title II and Title III. In some cases, the agency may even have been too passive, leaving a vacuum to be filled by organizations with a vested interest in particular outcomes, rather than by a neutral source of information. Several observers reported, for example, that on the Allegheny National Forest in Pennsylvania, the Forest Service was



not very proactive in informing counties about P.L. 106-393 and the ways in which Title II and Title III funds might be used. In these counties, pressure to shift to secure payments came particularly from the school districts. The Allegheny Forest Alliance (AFA)--an organization advocating a strong local economy based on resource utilization--has taken the lead in continuing discussions about whether or not to establish a RAC. An organization such as AFA has every right to articulate its position. However, the fact that an organization with an unambiguous agenda to see a return to higher levels of timber harvest on the forest has become the principal source of information on the legislation, highlights the lack of a recognized neutral source of information on P.L. 106-393, one goal of which is to defuse entrenched conflicts over forest management.

Federal agencies appear to have respected counties' prerogative to decide whether to opt into the system of secure payments, and to determine the allocation of funds between Title II and Title III. There is more variation, however, in the degree to which they have driven decision-making with regard to the establishment and functioning of RACs. In Mississippi, the regional office of the Forest Service decided how many RACs there should be and which counties would participate, before consulting the counties. At the other end of the spectrum, in the Coos Bay RAC in Oregon, the BLM appears to have given way to officials in Coos County in disagreements about the autonomy of the RAC and the county's threat to cut Title II funding if the RAC approved projects of which the county did not approve. On the Medford RAC (also in Oregon) the BLM, the counties, and the Association of O&C Counties exert considerable control over the activities of the RAC by screening the list of applicants to serve on the RAC and vetting project proposals before they are submitted to the RAC, in order to ensure that the RAC supports their priorities. Our analysis of Title II later in this report discusses the range of situations, from those where the agencies have been very directive, to those where the agencies appear to have taken a weak supporting role in the face of counties' determination to control the use of RAC funds.

It is worth noting that as agency personnel move from one post to another, they may bring their experience from locations with advisory bodies and draw on it in working with civic groups in their new posts. This is especially important when staff with experience in western states transfer to eastern and southern states. In Mississippi, both the RAC coordinator and the DFO had seen and worked with active advisory groups in the West. The supervisor of the Kootenai National Forest in Montana had served previously in Oregon and worked with advisory groups that were precursors to RACs. Members of these RACs all acknowledged the importance of agency staff in encouraging county officials to allocate funds to Title II, and in inspiring members of the public to volunteer to serve on the RAC.



## CHAPTER 5

### UTILIZATION OF TITLE III FUNDS: CASE SPECIFIC FINDINGS

#### *Title III Expenditures: A View at the State Level*

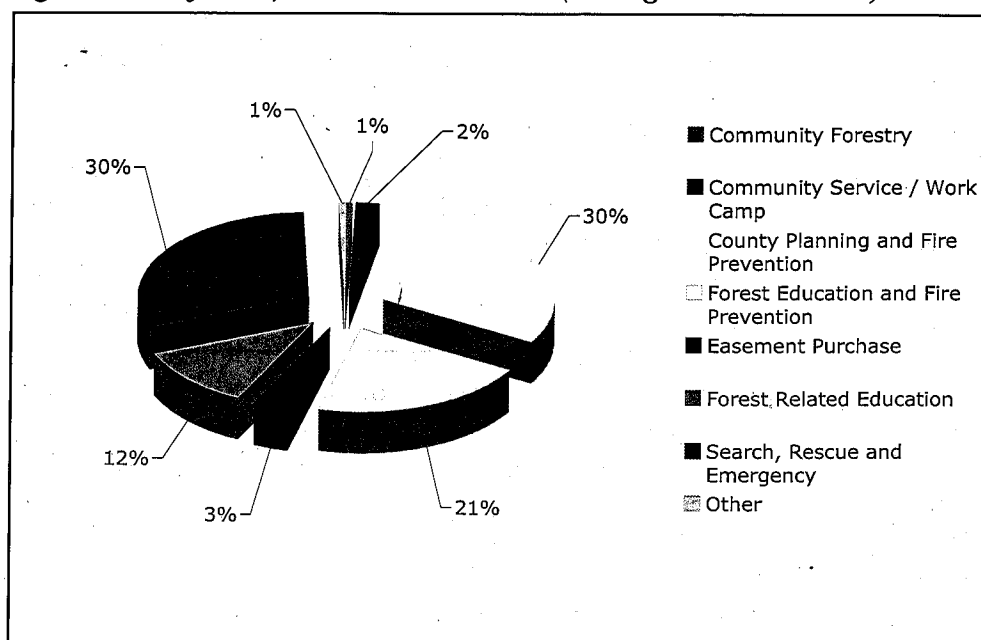
In addition to collecting detailed data on Title III expenditures from all of the counties in the 16 case studies, researchers collected data from all eligible counties in one state, California. In aggregating data for the whole state, it is possible to highlight spending patterns at a regional level, without the possible distortions that may arise from the case studies' focus on counties that participate in a RAC. The data were gathered during the summer of 2004 through direct interviews with county staff and research using county records, in what proved to be a slow and complex process due to the absence of any standardized documentation of Title III expenditures.

As shown in Table 3 and Figure 1 below, California counties spent half of their Title III dollars on two fire-related categories.<sup>11</sup> A total of 30.6% of Title III dollars are expended on County Planning/Fire Protection and 20.5% on Forest Education and Fire Prevention. Projects in these two categories account for 62.6% of all Title III projects in the state. Search and Rescue, the second highest funded category, accounts for 30.4% of all Title III expenditures and 21.3% of all projects. The next highest funded category is Forest Related Education, amounting to almost 12% of all funding. Easement Purchases, Community Service Work Programs, and Community Forestry received comparatively limited funding. Some county supervisors voted to set aside annual allocations for their Fire Safe Council/Fire Department and their Sheriff's Department Search and Rescue programs for the entire six years.

**Table 3. Summary of Title III Expenditures in California (as of Summer 2004)**

Project Type	Total Allocations	Percent of Total Allocation	Number of Projects	Percent of Projects
County Planning and Fire Prevention	\$4,031,132	30.6%	143	36.7%
Search, Rescue and Emergency Services	\$3,998,515	30.4%	83	21.3%
Forest Education and Fire Prevention	\$2,700,868	20.5%	101	25.9%
Forest Related Education	\$1,549,865	11.8%	41	10.5%
Easement Purchase	\$430,637	3.3%	6	1.5%
Community Service / Work Camp	\$288,588	2.2%	9	2.3%
Community Forestry	\$80,048	0.6%	1	0.3%
Other	\$85,370	0.6%	6	1.5%
<b>Total</b>	<b>\$13,165,023</b>		<b>390</b>	

<sup>11</sup> The total presented in the table differs from the three-year total presented on the Forest Service Payments to States website ([http://www.notes.fs.fed.us:81/r4/payments\\_to\\_states.nsf/web\\_allocations?openview&count=1000&collapse=all](http://www.notes.fs.fed.us:81/r4/payments_to_states.nsf/web_allocations?openview&count=1000&collapse=all)) because it includes funds allocated by counties.

**Figure 1. California, Title III Allocations (through Summer 2004)**

The categories in which the California data are organized do not correspond exactly to the six categories specified in the legislation. They are, however, the categories under which the counties had listed their spending. In a reflection of the overwhelming importance of fire protection in a state subject to frequent wildfires, and where urbanization and second home developments give urgent meaning to the term “wildland urban interface,” it is perhaps not surprising that counties see value in distinguishing between planning and education as elements of fire management.

The California data clearly show the importance counties attach to using Title III funds to cover the costs of services they are expected to provide on public lands. The two fire prevention categories together with search, rescue and emergency services account for 81.5% of expenditures, far outweighing spending for forest related educational activities, or for enhancing the value of forests to the community through work camps, community forestry, and easement purchases. While counties in California have understandably invested particularly heavily in fire prevention, the following section shows that other counties in the case studies shared their preference for paying for services on public lands, while placing a somewhat higher priority on projects that would enhance forest health and the future well-being of their communities.

### ***Title III Projects in the Case Studies: Innovation and Effective Leveraging of Funds***

With a few exceptions, funds are being used for the six purposes specified in the legislation. Table 4 and Figure 2 show that in the 14 case studies for which data were available, the three most important uses of funds have been forest-related education, then search and rescue activities on public lands, followed by community service work camps.<sup>12</sup> Thirty-four percent of the total Title III funds from the case studies were used

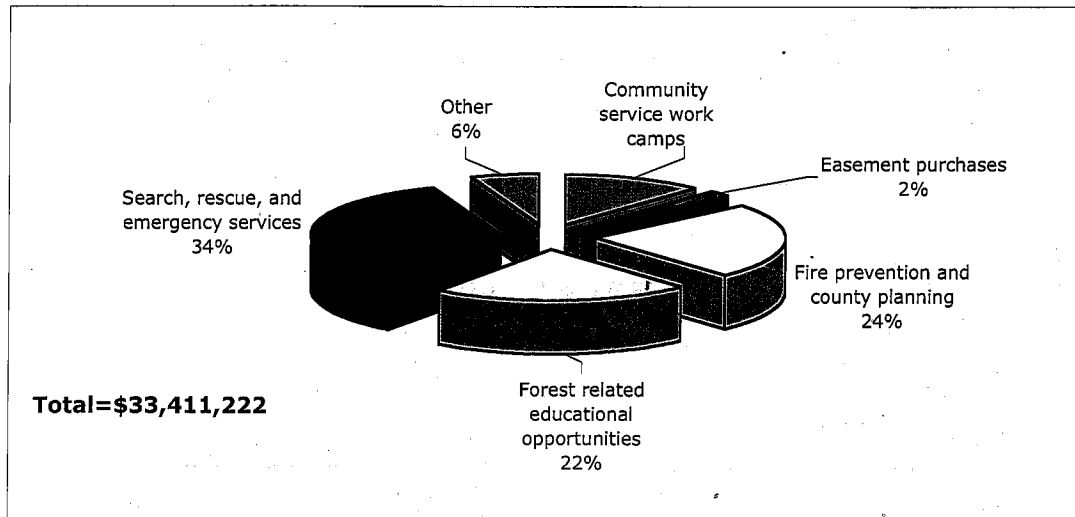
<sup>12</sup> Data were not available for Montana and Pennsylvania.

for forest-related education; 24% for fire prevention and planning; 22% for forest-related education; and 12% for community service work camps.

**Table 4. Title III Allocations - 14 Case Studies (2002 to 2005)**

Project categories	Allocation (\$)	Percentage
Search, rescue, and emergency services	11,392,451	34.1%
Fire prevention and county planning	8,048,594	24.1%
Forest related educational opportunities	7,338,445	22.0%
Community service work camps	4,007,534	12.0%
Easement purchases	665,886	2.0%
Other	1,958,312	5.8%
<b>TOTAL</b>	<b>33,411,222</b>	<b>100%</b>

**Figure 2. Title III Allocations - 14 Case Studies (2002 to 2005)**



#### *Emergency Services and Community Protection*

Reduced timber harvesting on public lands has taken place against a backdrop of increased recreational use of forests - leading to heavy demands on counties to plan for emergencies and to provide effective search and rescue services. Title III funds are playing an important role in allowing counties to improve communications systems, to train volunteer search and rescue teams, and to reimburse sheriffs' offices for search and rescue operations on federal lands. In Oregon, Douglas County is not only funding direct costs of search and rescue operations, but has gone one step further, recognizing the importance of providing care and support to victims and emergency personnel immediately after a rescue operation. A Title III grant to the Salvation Army is covering the cost of outfitting an emergency disaster van to provide meals and assistance at the site of an emergency or disaster. Salvation Army volunteers will operate the van and supply it with food during emergencies, search and rescue missions, and natural disasters, saving the county a significant sum of money.

Many counties have used Title III funds to purchase equipment for search and rescue operations as well as for fire fighting and fire prevention work. There have been a

number of questions raised about whether these purchases are permitted under the legislative requirement that Title III funds should be used for services "performed on Federal lands and paid for by the county." In the absence of regulatory guidelines, county associations have cautioned county governments to prorate Title III expenditures on these items based on how much of the time the vehicle or equipment is actually used on federal land. Some counties therefore maintain careful logs tracking the proportion of search and rescue activities on federal lands, although these counties represent a distinct minority.

Communities in forested areas have always faced the risk of devastating fires destroying homes and property. Over the last two or three decades, vacation homes and other housing developments in these areas have outpaced the ability of financially-strapped counties to plan for fire prevention and to provide firefighting services in the event of wildfire. In western states, in particular, counties have successfully solicited proposals from relevant county departments, the public, and local civic organizations to craft innovative projects experimenting with new approaches and partnerships to plan for more effective fire prevention and management. These efforts range from developing a fire defense strategy across federal, state, county, and local jurisdictions, to educating county residents on preventing residential fires. In California, for example, four successive small grants supported the Tuolumne County Fire Prevention Program to develop and distribute educational materials on fire prevention to county residents, with a special effort to reach low income and high-risk residents. Materials for children include coloring books and a playhouse to learn about smoke detectors. The county's fire marshal commented, "We are getting to groups we never would be able to get to. This support has given me such a good foundation. It gives me the tools to do the job."

Many counties have used Title III funds effectively for planning efforts to prepare the way for fuels reduction projects using Title II funds on land adjacent to Forest Service or BLM lands, and to leverage further funding under the Healthy Forests Restoration Act for fire prevention and fuels treatment in the wildland urban interface zone. In 2005, Jackson and Josephine counties in Oregon each contributed \$50,000 of their Title III funds to match a \$250,000 National Fire Plan grant for a joint regional GIS Hazard Mapping project. Other partners in the project include the Oregon Department of Forestry (ODF), Jackson and Josephine Counties, U. S. Forest Service, Rogue River and Siskiyou National Forests, Bureau of Land Management, Medford District, and the Rogue Valley Fire Chiefs' Association. The project uses agreed upon data standards to map vegetation and fuels to provide consistent hazard and risk assessments covering both counties. The new data will enhance all partners' abilities to complete and update fire plans, allow strategic planning and prioritization of ground fuel reduction efforts, as well as monitor the effectiveness of treatments. The maps and data will be important tools in efforts to engage with the public to develop further short- and long-term strategies for fuels reduction. In another example from Tuolumne County, California, an investment of Title III funds to staff a multi-agency South West InterFace Team (SWIFT) to develop a fire defense strategy across jurisdictions has laid the groundwork for several fuels reduction projects supported by the Tuolumne County RAC and other funding sources. These and other similar projects are a striking demonstration of the importance to counties of Title III funds to make the initial investment in the planning that is required to access a range

of other funding sources to implement essential measures promoting the safety of their citizens and the health of the forests that surround them.

*Education and Training: Building Future Capacity to Care for the Forest*

The two Title III categories of Forest Related Educational Opportunities and Community Service Work Camps have opened up some remarkably rich and innovative opportunities for counties and a wide range of partners to build the foundations for a vibrant future for their communities, rooted in the stewardship of a working forest landscape. Counties have approved projects to promote a greater understanding among the general public of forest communities and forest management. They have supported educational projects to develop the skills and capacities to care for the forest resource and they have funded Youth Conservation Corps or similar employment programs that offer a positive future for youth put at risk by social and economic dislocation in timber-dependent communities. These programs are now developing the human capital needed for continued management of forests and watersheds as participants move into resource-related jobs or educational programs.

Some programs in these two categories seek to educate county residents and visitors about forest ecosystems and their management. In the Fremont-Winema Forest in Oregon, a grant to the Oregon Garden and the Association of O&C Counties supported a project to develop a Natural Resources Education Center and Rediscovery Forest at the Oregon Garden in Silverton, Oregon. The facilities at the Garden, which is a regional tourist attraction, will be integrated into a program of seminars and a curriculum to convey to youth the relationship between forest management and forest health. In Lincoln County, Montana, county commissioners approved Title III grants in 2003 and 2004 to a local not-for-profit organization, the Provider Pals Project. The project organizes exchanges between urban and rural youth with the objective of building greater understanding among urban communities of forest communities and forest management. The Provider Pals project has used grants to restore a building that has historic significance as the site of a Civilian Conservation Corps (CCC) camp, later used as a ranger station and then abandoned in the early 1970s. Groups of inner city youth will use the building for summer camps during which they spend time with young people from forest communities learning about forest ecosystems and the lives of communities whose lives depend on them. The county has funded the project as a way to help realize the conviction of the project's executive director that the future of forest communities will depend on "... ultimately [being] seen as a part of a desired healthy forest outcome."

In addition to promoting a better understanding of forests and forest communities, counties have made creative use of Title III funds to educate children of all ages about forests and to train local youth to prepare them for skilled jobs, and to give them new opportunities for employment through community service programs. On Washington State's Olympic Peninsula, Mason County dedicates all of its Title III funds to the Washington State University 4-H Youth Forestry Education program. Since its inception in 2002, the program has reached over 3,500 Mason County children and youth with educational programs, training, and service learning projects on county and national forest lands. Participants have learned to use Geographic Positioning System tools to map historical logging camps, and conducted oral history interviews with elders to understand the area's natural resource heritage. In the first two summers of Title III funding, youth

participating in the 4-H Forestry Leadership Summer Program contributed over 4,000 hours of trail building, harvesting native grass seed, landscaping a Habitat for Humanity house, restoring wildlife habitat, inventorying native plants, and planting 2,500 trees after logging. One program graduate has earned his firefighting red card and another is exploring a career in wildlife biology. The program has gained recognition countywide, and although in-kind donations have significantly expanded resources, program leaders were clear that without its core of Title III funding, the program would cease to exist.

Of particular interest are programs that have specifically targeted at-risk youth and young offenders, such as one funded by Jackson County, a member of the Medford BLM RAC in Oregon. The county has approved the use of Title III funds to support the Youth Forestry Education and Stewardship Program, an innovative set of activities combining elements of forest-related education with a community service program for 16 to 21 year-old offenders referred to the program by the Juvenile Department and Community Family Court System. Participants take part in an orientation workshop of intensive training in forestry, ecology, job-readiness, and work ethics after which they join work crews for further training, with stipends. Work crews carry out maintenance work on campgrounds and recreation areas, they take part in watershed restoration projects, and some have received training to qualify as firefighters on federal lands. The Job Council, a joint public venture between Jackson and Josephine counties, sponsors the program under the federal Workforce Investment Act. Under the terms of the act, the Job Council maintains a tracking process for one year after participants graduate from the program, and the Council also conducts a "before and after" assessment of participants' employability and skills development.

Counties eligible for P.L. 106-393 payments have a history of timber dependence, making it difficult to conceive of an alternative future when they lost both revenue and jobs with the decline of timber harvesting and the associated processing of wood. Title III funds are playing an important role in preparing young people in these communities for jobs associated with the more diverse conservation and recreation-oriented forest management tasks of the present and the near future. They are also contributing to a better appreciation within forest communities and the wider public of the challenges of forest management and the roles of public land managers. In the words of a participant in a youth program in Tuolumne County on the Stanislaus National Forest in California

It's not about the money. At the beginning it was, but now I'm learning, making good friends, working with good people. We get an understanding of how the forest works, our 'footprint,' and benefits.

### *Easement Purchases*

Where counties have used funds to purchase easements, they have used them to secure access through private lands to national forest trails, to add important habitat to consolidate existing conservation areas, or to acquire land to restore natural river flows and manage flooding. In southern Oregon, Title III grants from Josephine and Jackson Counties, on the Medford BLM RAC, have facilitated negotiations with owners of the 9,000-acre C2 Cattle Company Ranch to create the Little Butte Creek Forest and Ranch Easement on forested land adjacent to land administered by the Bureau of Land Management. The grants were made to the Southern Oregon Land Conservancy to keep the land intact as a working ranch in this fast-growing region of southern Oregon. The



small percentage of funds used under this category in the case studies may be accounted for by the substantial size of grants that are typically needed to secure easements, as well as by the limitations the legislation imposes on the purposes for which easements may be purchased. One county commissioner also worried that easements might take land out of an already limited tax base.

#### *Community Forestry and "Other Expenditures"*

The final category listed in Table 2, "Community forestry and other expenditures" is somewhat problematic. Very few community forestry grants have been approved, and most of the funds in this category represent expenditures for unspecified purchases, for office equipment, for salaries of county employees, or, in some cases, they are funds that have not yet been spent and have been held over until the following year. Shoshone County in Idaho was one of the few counties reporting any expenditure specifically under the category of "Community Forestry," approving two small grants for tree beautification projects. Lincoln County in Montana listed a grant to the Kootenai River Alliance under the same category. These projects are some of the excellent but few in this category of Title III funds to be used as directed under Section 302(a)(6) of PL 106-393 "toward non-Federal cost-sharing requirements of section 9 of the [Cooperative Forestry Assistance Act of 1978]." One county, however, clearly went beyond even the spirit of the legislation in allocating \$80,000 under the category of "Community Forestry" to what is described in the county's accounting of Title III expenditures as "offset of PILT losses."

#### *Title III: Some Issues*

Despite the many successful, innovative programs documented in these case studies, counties have sometimes found it difficult to solicit or to craft project proposals that take full advantage of Title III funds. As noted above, several counties in this review had not spent all of their funds and were holding them as carryovers or in trust until they could find suitable projects. Counties in the Idaho Panhandle RAC had a total of \$587,817 in unallocated Title III funds, with just one county, Shoshone County, holding \$350,719. Counties in several other RACs in Washington, California, Oregon, Pennsylvania, and Mississippi still held significant unspent Title III funds, described variously as "rollover funds," "reserves," or simply as "unallocated dollars." While these unspent funds are described in different ways, they are an indication that, in many cases, county officials are either unclear how to spend the funds, or genuinely find it difficult to identify worthwhile projects that fall within their understanding of legitimate uses of Title III funds.

This report has already referred to the confusion counties have over the use of Title III funds to purchase equipment such as vehicles for search and rescue operations. Counties often turn to the Forest Service or the BLM for guidance, even though those agencies have no direct oversight of Title III funds. Elected county officials also turn to their legal counsel for advice. With little or no precedent for guidance, however, the advice that counties receive is inconsistent, and some decisions have taken what appears to be an unduly narrow interpretation of the law. In Washington State, for example, Stevens County (a member of the Colville RAC) hoped to fund a search and rescue program for Lake Washington. The county's legal counsel told the commissioners that

this was not permitted under P.L. 106-393 rules because the project would not benefit federal land since the lake was water, not land.

The Mississippi case study shows that the details of design, planning, and assessments required in soliciting proposals can represent a challenge to communities with limited human resources and where there are relatively few civic society organizations prepared to present proposals for funding. Franklin County has yet to use \$189,000 remaining from its Title III allocation from the first year of the secure payments program, and is now the only county in the state to have shifted its allocation entirely into Title II. Franklin and other counties in Mississippi have found that the relatively small amounts of P.L. 106-393 payments they receive, coupled with the lack of clarity of how exactly the Title III funds can be used, make it easier to not use it or to dedicate it to a single activity. Sixteen of 22 eligible counties in the state have signed contracts with Mississippi State University (MSU) Cooperative Extension to use all of their Title III funds for an Enhanced Forestry Education Program devised and implemented by MSU. County supervisors reported that they had had little access to information about the possible uses of Title III funds, and no opportunities to hear from counties in other regions about their uses of the funds. Some supervisors believed that Title III funds could only be used for educational purposes--although presentations by the Forest Service, the Mississippi Public Lands Council, and MSU all outlined the various ways in which both Title III and Title II funds could be used. Looking for possible educational opportunities, supervisors responded positively when MSU offered them a forest-related program tailored to fit each county's Title III allocation for up to six years. There is no doubt that MSU's program meets the criteria for Title III funding. It is somewhat disturbing, however, that many counties considered it too cumbersome to develop a process open to a wider public, with appropriate procedures to manage and disburse funds, and chose instead to allocate all of their Title III payments to a program designed, proposed, and implemented by a third party whose interpretation of P.L. 106-393 (as presented in its website) forcefully discourages counties from considering allocating funds to Title II.<sup>13</sup>

Finally, the case studies revealed that in some cases, funds have been allocated for purposes that do not conform to the criteria outlined in the legislation. Some counties, for example, have used Title III funds to purchase office equipment for county offices or to cover salaries of county employees, and have declared that these allocations correspond to one or more of the six categories in the legislation. At least two counties in this review, however, have simply allocated funds directly to the county budget to "charge up the gas tank," in the words of one county official. While a small portion of these questionable allocations appears to have been made in full knowledge of the fact that they did not conform to the legislation, it is likely that, in many cases, they are the outcome of genuine difficulties elected county officials face in determining the proper use of Title III funds. There is an argument to be made that the situation could be improved if counties had access to a neutral and authoritative source of information on the implementation of P.L. 106-393.

<sup>13</sup> See the "MSU Cares" website at: <http://msucare.com/forestry/titleiii/index.html>.

***Title III Expenditures: Projects or Administrative Allocations?***

Section 302 of Public Law 106-393, describing the uses of county funds under Title III states that

County funds shall be expended solely on projects that meet the requirements of this title. A project under this title shall be approved by the participating county only following a 45-day public comment period...

There is no detailed description in Section 302 of what is meant by a "project." Section 203 (b), however, in describing the process for the submission of Title II project proposals lists some quite specific information that is required in any project proposal. A proposed project must include the following information:

- The purposes of the project, and a description of how the project will meet the purposes of the Act.
- The anticipated duration of the project.
- The anticipated cost of the project.
- The proposed source of funding for the project.
- Expected outcomes of the project.
- A detailed monitoring plan.
- An assessment that the project is to be in the public interest.

(United States Congress 2000, 114 Stat 1615)

In the absence of any language to the contrary, the term "project" as it applies to Title III is taken here to mean what it does in Title II, and requiring the same actions along with the required 45-day review period. A review of the procedures counties have used in approving the use of Title III funds shows, however, that while most funds have been disbursed for activities that fit within the six approved categories of projects and with the appropriate review period, approval has very often been through a process of administrative allocation, rather than through the review and approval of discrete projects that meet the criteria outlined in Section 203(b).

Our state-level survey of Title III funding in California found that a total of 46.4% of all Title III expenditures were in the form of administrative decisions, not projects. In the 16 case studies in this review, 14 of the 46 counties received no Title III funds in 2005. Of the remaining 32 counties, 15 solicit and select projects through a clear process involving public announcements requesting proposals, documentation of proposals, and at least some requirements for information about the project's costs, anticipated duration, and expected outcomes. In 14 counties, the process is by administrative allocation, sometimes simply through a direct transfer of funds to the relevant categories in the county budget, and sometimes with separate accounting, but with no open, competitive application process for outside organizations, and with most funds being allocated to county departments. Most counties do have a 45-day review and comment period and notify the RAC as required by P.L. 106-393. In three counties, the record is mixed. These counties appear to have mostly administrative allocations with occasional grants to projects submitted by non-county government organizations (e.g., the Provider Pals project in Lincoln County, Montana), or allocations such as search and rescue programs

carried out by the Sheriff's office which are described as projects, but for which there does not seem to be a process of solicitation, project proposal, or final selection.

Failure to disburse funds in the form of projects selected through an open and competitive process is more than a minor procedural issue. The preamble to P.L. 106-393 states clearly that one of the objectives of the act is to "improve cooperative relationships among the people that use and care for Federal lands and the agencies that manage these lands" (United States Congress 2000, 114 Stat 1609). The invitation to civic organizations and members of the public to submit proposals for funding is an essential component in involving "the people that use and care for Federal lands." Administrative allocation of funds not only limits the pool of potential beneficiaries of Title III funds, but it also works against the transparency of decision-making that fosters "cooperative relations." In practice, administrative allocation overlooks and fails to draw on the rich well of experience and ideas in a community that could be a fertile source of innovative ideas and partnerships to strengthen the capacity of forest communities to face the challenges of the future.

The most common reason county officials have given for the prevalence of administrative allocations of Title III funds is the absence of an authoritative source they can turn to in order to determine whether a proposed project conforms with the legislation or not. They have also commented that there is very little readily available information about what is allowed under the different categories of funding, and few accounts of innovative projects being tried in other regions and communities around the country. The failure of the legislation to identify a responsible agency for Title III has made it difficult for some counties to obtain clear information and needed direction. In some cases, federal land management agency representatives have provided crucial information, despite it being beyond their jurisdiction to do so. At best, lack of a designated authority places these officials in an awkward position. More seriously, though, it has made it possible for counties intentionally, or inadvertently for want of other options, to limit the beneficiaries of Title III funds to a small number of actors with access to information about their availability, excluding a wider range of civic organizations that could potentially make innovative use of funds in their communities.

### ***Title III Monitoring***

Title III project monitoring is inadequate. Researchers working on these case studies found Title III data particularly difficult to locate. Some counties have not systematically or electronically recorded their projects, making tracking extremely difficult. Project data are often limited, and, in some cases, non-existent. A few counties have taken their responsibility for monitoring seriously, but even the best have focused primarily on general project reporting and financial accounting, not on outcome-based monitoring. It is difficult therefore to determine impacts or achievements of Title III projects.

Monitoring should not be enforced as a form of surveillance or as a way to constrain the actions of elected officials. At its best, monitoring is a valuable mechanism to build accountability and transparency into the secure payments program, both of which are essential to its success. Effective monitoring also contributes to program learning, project development, and, ultimately, to improved resource management. It would strengthen the long term impact of P.L. 106-393 if guidelines and training were made

available to counties to design and implement monitoring systems that would not place an undue burden on county staff, while providing the level of information that would allow them to track expenditures accurately and to strengthen project impacts over time. Inadequate monitoring is of concern in the use of Title II funds too, so further discussion of the issue will be left to that section of this report.

### ***Title III - Conclusions***

Counties eligible to receive Title II and Title III funds under P.L. 106-393 have shown a preference for allocating funds to Title II. Most counties have retained 20% or more in Title III, and some have chosen to divide their funds equally between the two Titles. In deciding how to allocate funds, county officials considered the possible effects of Title III allocations on their PILT payments from the federal government, with some counties moving funds to Title II to avoid the possibility of losing revenue. Other factors influencing counties' decisions included their dependence on timber from federal lands, concerns about possible agency control over P.L. 106-393 funds, caution over perceived restrictions on the possible uses of Title III funds, and past experience with advisory groups in the management of public lands.

The highest funded category of all Title III expenditures in the case studies is "search and rescue and emergency services." "Fire prevention and county planning" and "forest-related education" were the next highest funded categories. The vast majority of Title III funds appear to have been used for purposes consistent with the legislation, but nearly half the counties did not disburse funds through an open, competitive proposal solicitation processes. The same was found to be true with respect to the total Title III dollars allocated in California. A number of these counties allocated Title III funds through internal budget processes, not in the form of "projects" in the meaning of the term as defined in the legislation. Some allocations, though generally limited in amounts, do not fit the approved categories.

The lack of oversight and an authoritative source of information about Title III has hampered county officials, and has been a factor in irregular or closed proposal solicitation processes and allocations. More effective monitoring of both project finances and outcomes would help to address both of these problems. Implementation of Title III would benefit from a central information source. This entity could take responsibility for ensuring accurate and timely reporting of projects, disseminate information about innovative projects, and it could offer training for counties (as well as RACs) to improve project work. It could also serve as a clearinghouse for information about innovative and successful projects, thereby improving program learning. Improved monitoring and information about the implementation of Title III programs around the country could be expected to enhance program learning and contribute to its long-term success.



## **CHAPTER 6**

### **THE LIFE AND ACCOMPLISHMENTS OF RESOURCE ADVISORY COMMITTEES: FINDINGS FROM THE CASES**

This chapter is based primarily on findings from the 15 Resource Advisory Committee (RAC) case studies. It has three primary sections, the first of which reviews the ways RACs were established and the processes through which they were peopled, including an assessment of the adequacy with which the designated interest positions were filled. The ways in which RACs function – their institutional form and function – are taken up in the second section. This section includes discussion of decision-making processes within RACs, the role of leadership, and questions concerning how RACs compensate their chartering agency for overhead. The section concludes with a discussion of the factors that seem to contribute to effective RAC function. The third section discusses RAC project accomplishments. This entails analysis of RAC spending patterns by project category, both at the aggregate level of the 15 case study RACs and at the individual RAC level. Also discussed are issues concerning the extent to which RACs are recommending new and innovative projects or work that the Forest Service or BLM should be doing anyway, and the extent to which RACs partner with non-agency entities. We also address the issue of employment generation, both in terms of the limited ability of RACs to generate full-time family-wage employment, and their significant and positive contributions to conservation-oriented youth employment generation. The last part of the section considers monitoring of Title II, both in terms of the strengths of current monitoring efforts and the as-yet unfulfilled potential for rigorous effectiveness monitoring.

#### ***Establishing a Resource Advisory Committee***

Establishing a RAC involves accomplishing a diverse array of tasks. These include determining the geographic area of the RAC's jurisdiction, peopling the RAC in a manner that comports with legislative intent, and providing guidance to the RAC members regarding their charter and mandate. The Forest Service and the Bureau of Land Management worked closely with a variety of county officials and associations in the process of setting up RACs. Elected county officials, statewide county organizations, and organizations representing groups such as the forest products industry and environmental interests also played roles in different aspects of these tasks. For example, in Oregon, the Association of O&C Counties worked closely with the BLM to establish RACs. In Eastern Arizona, the RAC was formed when the Eastern Arizona Counties Organization – a loose coalition of five eastern Arizona counties – approached the then-supervisor of the Apache-Sitgreaves National Forest about creating a RAC. In some cases, county associations provided information and guidance to counties regarding the purpose of P.L. 106-393 and mechanisms for establishing and peopling RACs. Also, some interest group organizations provided informal training for their representatives on RAC decision-making processes and how to operate effectively as a RAC member. County officials, primarily supervisors and commissioners, were invariably involved in the process of determining who should be nominated to serve on the RAC. In most, but not all, cases this involvement was aimed at achieving the breadth of representation specified in the legislation.

#### ***Determinants of RAC Size***

Forest supervisors and district managers working with county organizations determined the geographic scope of most RACs. RACs tend to be coterminous either with a national forest

or with a Forest Service or BLM district. Larger, multi-county RACs are coterminous with whole national forests while smaller, single-county RACs are generally associated with a single Forest Service or BLM district. Examples of multi-county RACs that allocate P.L. 106-393 funds across an entire national forest include the Forest Service Fremont-Winema and Medford RACs (Oregon), the Olympic Peninsula RAC (Washington), and the Idaho Panhandle RAC. RACs such as the BLM Roseburg and Coos Bay RACs in Oregon, and the Forest Service Del Norte RAC (California) focus on individual districts. In fact, all RACs in California (Region 5 of the Forest Service) are single county RACs – this reflects a decision made by the counties through their associations and at the region level to have only single county RACs within Region 5. Region 6 of the Forest Service, by contrast, chose a different strategy, one that involved the creation of multi-county RACs as evidenced by the large, multi-county Forest Service RACs in Oregon and Washington. In other regions of the country as well (e.g., Mississippi), the Forest Service chose to create multi-county RACs.

The decision regarding how large an area should be within a RAC's jurisdiction is a complex one that requires balancing the significant costs of setting up and running a RAC against the logistical and other challenges that a large multi-county RAC must contend with. RACs whose jurisdiction is coterminous with a larger land management unit such as one or more adjacent national forests may be better able to assess the overall project needs at a landscape scale than smaller RACs, whose jurisdiction is limited to one part of a larger management unit, e.g., a Forest Service or BLM district. However, larger, multi-county RACs often must contend with the challenge of negotiating acceptable levels of parity between individual county Title II contributions and the pattern of project allocations across county boundaries, thus potentially running counter to a more holistic view of the investment needs at the forest level.<sup>1</sup> The challenges of achieving parity between county Title II contributions and what the county receives in terms of RAC-funded projects are even more complicated for those RACs with counties that do not contribute any Title II funds, and especially for those RACs with counties that are not even receiving PL 106-393 funds at all.

Low population density and modest levels of P.L. 106-393 payments are other reasons for forming multi-county RACs. In sparsely populated regions such as Alaska, it may be difficult to populate single-county RACs. Counties with more modest P.L. 106-393 payments can sometimes generate the funding levels that would warrant the creation of a RAC only by pooling their Title II contributions. Because multi-county RACs are populated with people from a relatively large geographic area, it is less likely that RAC members themselves are involved in the same social networks or work together on issues of mutual interest outside the context of the RAC. In some cases, this can constitute a barrier to the development of the sorts of collaborative decision-making processes that P.L. 106-393 was intended to facilitate.

### *Peopling the RAC*

Cognizant of the strong influence of a RAC's composition on its subsequent work and performance, a diverse group of players became involved in the process of peopling the three categories of RAC membership with individuals representing the diverse interests the legislation

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<sup>1</sup> The desire for local autonomy and the interest in avoiding potential inter-county conflicts regarding the allocation of Title II funds was a primary factor behind the decision by leaders of Grays Harbor County on the Olympic Peninsula (Washington) to argue for their own RAC instead of being part of a larger, multi-county RAC.



specified.<sup>2</sup> In addition to the concerned federal agencies, these players included elected county leaders (primarily supervisors and commissioners), county administrators, state-level county associations and organizations, and organized interest groups. Almost without exception, the first step in this process entailed utilizing a variety of means to publicize P.L. 106-393 and to invite applications from members of the public interested in serving on a RAC. Notices were circulated in newspapers, on relevant internet sites, and through other electronic media about the existence of P.L. 106-393 and the availability of RAC positions. In most cases, the agency's project coordinator or public affairs officer was responsible for these fairly conventional forms of publicity. Agency staff responsible for RAC-related publicity also followed the Civil Rights Impact Analysis (CRIA) guidelines. In the case of the Homochitto National Forest in southwest Mississippi, this entailed sending mailings to schools and colleges that serve minority populations, minority-owned businesses, local churches, and the two federally recognized tribes in the state. It also included sending 1,200 letters to individuals asking if they would be interested in serving on the RAC or if they could recommend a suitable person. Although this exemplary effort to embrace the spirit and the letter of CRIA guidelines was not matched by other Forest Service and BLM units, the guidelines were generally followed.

In some instances, particular individuals or organizations were solicited and encouraged to apply to serve on a RAC. In most cases, the agency (Forest Service or BLM), elected county leaders, and state-level county associations were the entities that solicited individuals to serve on the RAC. At this juncture it was not uncommon for county officials who subsequently had no involvement with a particular RAC to actively influence the process of putting the RAC together.

The motivation behind county involvement in the peopling of RACs varied significantly among counties. It was commonly understood that at least part of the decision regarding whether or not to reauthorize the legislation hinged on the performance of the Title II portion of the legislation. Indeed, county officials in at least two case study RACs (Del Norte, California, and Roseburg, Oregon) explicitly stated their belief that reauthorization (and the continuation of their Title I payments) hinged directly on the success of the Title II programs. Thus, in most cases county leaders sought to people the RAC in a manner that comported with the legislation's intent by representing a diverse and balanced range of interests. However, in some cases the high priority accorded to putting together an array of people that could work together sometimes resulted in questionable actions, such as rejecting individual applications because the person or organization concerned was considered to be too radical or unable to engage productively in collaborative decision-making forums. There is a fine line between striving to assemble a diverse group of people to serve on the RAC and sacrificing inclusiveness in order to enhance the efficiency of RAC decision-making processes. What may look like a rational attempt to ensure a workable process, from another vantage point could be interpreted as exercising inappropriate pressure to selectively recruit RAC members.<sup>3</sup> These cases of exclusion were, however, few, and interviews with RAC members suggested that groups were well-balanced. There was enough concern among many about just sitting in the room together, that efforts to ensure harmonious interaction did not over-reach efforts to ensure balance.

Occasionally a county's involvement in the process of peopling the RAC took a more self-serving turn. In at least one multi-county RAC (Olympic Peninsula, Washington), the

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<sup>2</sup> For more information on the specific categories represented on the RAC and the voting process specified in P.L. 106-393, refer to the institutional analysis, Chapter 2, of this report.

<sup>3</sup> It is interesting to note that those individuals or organizations excluded from participating on the RAC almost always represented environmental perspectives on natural resources management issues.

composition of the RAC reflected concerns on the part of the member counties that their interests be represented. Thus commissioners from each county served on the RAC and, in RAC deliberations, argued for their county's interest rather than for the interest position they (nominally) represented on the RAC. In yet another example (Coos Bay, Oregon), a county commissioner (and RAC chair) solicited persons from the county to serve on the RAC who shared similar utilitarian perspectives on the role of the RAC and the ways in which Title II funds should be used to directly benefit county interests. These actions, in part, reflect the continuing debate about the extent to which Title II funds are "county money." While it is true that counties do not control the allocation of Title II funds to projects, it is also clear that in a few cases counties have tried to maintain some degree of control over Title II funds by peopling the RAC either with elected county leaders or with individuals that share the view that Title II funds are "county money."

Once the applications of people interested in serving on the RAC were received, the concerned federal agency (usually the forest supervisor or, in the case of the BLM, the district manager) made the recommendations regarding which applications to select and forward to Washington, D.C. for final approval. While federal agency personnel did have final authority over which applications to forward and other aspects of the RAC chartering process, in more than one instance county supervisors and commissioners were substantively involved in the process of recommending applications. In more than one case, county elected leaders and agency staff had lists of the people they wanted to serve on the RAC and, through extensive consultations, these lists were merged into the final list of recommended applications. While it is clear that the Secretary of the Interior in the case of the BLM, or the Secretary of Agriculture in the case of the Forest Service, holds the final authority for approving individuals to serve on the RAC, the process of generating the list of recommended applications often involved significant negotiation between the federal agency and county interests. In most cases the agency obviously played a lead role in selecting RAC members, and ultimately the agencies made the final judgment at the secretarial or deputy secretary level. However, in at least one case, the county played a dominant role.

### *Adequacy of Category Selections*

The degree of fit within the case study RACs between their actual composition and that specified in the legislation varies among RACs and across interest group categories. Almost without exception, the industry, environmental organization, and recreation (both dispersed and developed) designated categories were filled by people who were qualified to represent those interests, and represented them in RAC deliberations. This is not at all surprising given that the conflicts surrounding public lands management decisions almost always involve the timber industry, environmental, and, to a lesser extent, recreation interests. It is precisely these interest groups that the framers of P.L. 106-393 sought to bring together through the Title II program. Furthermore, these interest groups tend to be well organized, capable, and able and willing to devote time to the sorts of civic engagements that RAC membership entails. In short, these are core positions that, with only a few exceptions, all RACs were able to fill without difficulty. The few exceptions concern situations in which the dearth of local environmental organizations lead to the allocation of those seats on the RAC to local organizations that, in some cases, were more utilitarian in orientation than is usually associated with an environmental organization.

Some of the other designated categories proved more challenging to fill appropriately. This was particularly true of categories such as the archeological and historical interest, wild

horse and burro interest, organized labor, and Native American representatives. While these categories were often challenging to fill, the reasons why they were challenging varied. For example, in many situations there simply were no representatives of wild horse and burro groups. The clear western states' bias of the wild horse and burro category preordained its lack of fit in other regions of the country. In many cases it was also difficult to find qualified individuals who had expertise in archeological and historical issues, and could bring that expertise to bear on RAC funding deliberations. In some cases, RAC members and the Designated Federal Official and project coordinator collectively decided to proportionately increase the number of RAC members who represented industry, environmental, and recreation interests in lieu of trying to shoehorn individuals into slots, such as the wild horse and burro interest, that they were not qualified to represent.

The organized labor and Native American group slots on the RAC also proved challenging to fill appropriately, but for different reasons than those described in the preceding paragraph. To begin with, neither organized labor nor Native American groups have been central players in the relatively recent wave of community-based, collaborative decision-making processes for public lands resource management issues, despite their self-evident interests in these issues. This reflects the bias towards notions of community that favor Anglo interests concerning the timber industry, environmental values, and recreation. Put simply, locally-driven groups (and RACs are, to a large extent, locally driven) are difficult arenas within which to advance the sorts of social justice issues associated with organized labor and Native American interests. This bias, not surprisingly, is reproduced in RACs, which, in many regions of the country represent the most recent iteration of place- and community-based public lands decision-making processes.<sup>4</sup>

The difficulty of filling these slots stems from a complex of historical, institutional, political, social, and economic factors.<sup>5</sup> Historically, neither organized labor nor Native American groups have associated with the Forest Service or the Bureau of Land Management to the extent that other interest groups have. Thus while relations of conflict or cooperation often exist between these federal agencies and industry, environmental, or recreation groups, an absence of relationship is more characteristic of agency relations with organized labor and/or Native American groups. Developing relations in what verges on a vacuum requires more than specifying that representatives from these groups be included on a RAC. There are other issues at play, too. For example, unions and Native Americans are already working on a variety of important fronts that are a high-priority and of critical importance to them. Given the financial and personnel resource constraints that at least some of these groups contend with, they may be reluctant to invest scarce resources in the work of RAC membership if they do not immediately perceive the benefits or relevance of doing so. The inability of RACs to generate the sorts of full-time, family-wage jobs that most unions advocate for, and the somewhat peripheral significance of RACs for tribes, lends support to this observation.

Paired with these obstacles to union and Native American participation on RACs are the ways in which RACs themselves have generally not proactively sought to engage unions and tribes. For example, in two RACs, when the organized labor (and union representative) left the RAC, they were replaced by replacement members that did not have any experience or history

<sup>4</sup> See Chapter 6 of Baker and Kusel (2003) for an extended discussion of the challenges associated with supporting social justice objectives through local, community-driven resource management initiatives.

<sup>5</sup> This demonstrates that, by itself, the Civil Rights Impact Analysis is inadequate to ensure representation of under-represented groups and communities.

with organized labor. In neither case did anybody suggest that the RAC should seek a more qualified person to fill that slot. When researchers raised this as a potential concern in one of these RACs, the alternate in the labor slot (who was a livestock-oriented extension agent) said that they didn't have someone with labor expertise on the RAC "because it wasn't a concern," and accused the researchers of inserting their own biases into the case study by suggesting that it was a concern. It may be true that for many RACs and RAC members, labor-related issues are not a concern and this is reflected in the poor track record of RACs with regard to filling this slot. Whether or not labor-related issues should be a concern is a different issue, and one that P.L. 106-393 is clearly not silent about.

RACs have also been challenged to reach out to the Native American groups within the area of the RACs' jurisdiction. While RACs such as the Olympic Peninsula (Washington), and the Coos Bay (Oregon) RACs have engaged substantively with some of the area's tribes, other RACs have not, or have done so in a manner that does not seem commensurate with the extent of Native American presence in the region. Examples of RACs in this latter category include the Wrangell-Petersburg (Alaska), Siskiyou (California), Tuolumne (California), Eastern Arizona Counties, and Medford (Oregon) RACs. As the discussion in the case studies of these RACs illustrates, the obstacles that impede a robust and meaningful engagement with tribal groups are significant. However, in at least some of these RACs, progress has been made in terms of taking the necessary steps towards engaging with Native American tribes.

Issues related to RAC replacements can also challenge the ability of RACs to achieve the diverse representation intended by the legislation. Because there are fewer replacements than there are designated categories, there is little assurance that when a RAC member resigns, s/he will be replaced by a replacement member who can represent the same interest group. This is what happened in the two RACs referred to above; when the members in the organized labor slots resigned from the RAC, there were no other organized labor replacement members to take their positions. Instead, they were replaced by a livestock-oriented extension agent and a semi-retired middle school administrator, respectively. The result was a shift in the composition of the RAC. Ironically, by following the procedures outlined in the P.L. 106-393 for replacing RAC members, the RAC make-up can shift in a manner inconsistent with what the legislation specifies it should be.

In addition to changes in RAC composition related to the replacement process, there are other ways in which RAC composition can become skewed. Occasionally, RAC members, while qualified to occupy their designated position on the RAC, actually represent different interest positions when deliberating over proposed projects. Related to this is the issue of members shifting from one designated position to another, especially during the re-chartering process – often, it seems, in order to remain on the RAC. When taken to an extreme, it appears that in some cases the objective is to keep certain people on the RAC instead of selecting the individuals most qualified and able to represent the designated interest categories. Lastly, the criteria for which groups qualify as interest group organizations are not consistent across all RACs. For example, in some areas Trout Unlimited is considered an environmental organization but in other areas its "environmental" credentials are thought to be inadequate for it to be accepted as an environmental organization. While these issues are certainly not systemic, they are common enough to warrant consideration of how to ensure that the RAC member selection process continues to comport with that specified in P.L. 106-393.

### ***RAC Functioning and Voting***

This section investigates and describes the internal workings of RACs. We discuss the diverse modes of decision-making within RACs, the various leadership roles that RAC members and agency staff play, the variety of ways in which RACs have chosen to structure their annual cycle of meetings and field trips, and the diverse approaches to compensating the Forest Service and the BLM for their administrative overhead. We conclude this section with a discussion of the criteria that emerged from the case studies concerning the elements necessary for a RAC to function effectively.

#### *Decision-making*

The primary work RACs do is to evaluate, prioritize, and recommend for funding the project applications they receive. A plurality of decision-making processes have evolved within RACs to accomplish these tasks. In some RACs, members have developed formal criteria for evaluating proposals and quantitative methods for ranking proposals. Other RACs have not developed either evaluation criteria or ranking methods. In some RACs with formal ranking methods, the individual rankings of RAC members for each project are tallied to provide a grand total rank number. In other RACs, each subgroup ranks the proposals numerically. The Roseburg, Oregon BLM RAC, Fremont-Winema, Oregon Forest Service RAC and the Tuolumne, California Forest Service RAC are examples of RACs in which individuals rank project proposals numerically, while the Siskiyou, California and Eastern Arizona Forest Service RACs are examples of RACs in which each sub-group ranks the proposals. Shared evaluation criteria and a numeric ranking process, whether at the level of the whole group or the three sub-groups, provide an explicit and transparent method for prioritizing projects. The resulting list of ranked projects constitutes a solid starting point from which to launch discussions and eventually vote on which projects to recommend for funding. The process of developing common evaluation criteria, the focus on transparent, numeric ranking methods, and the open discussion of projects that ensues, seem to encourage the development of a shared sense of what kinds of projects the RAC, as a whole, would like to support. Rather than individual members of the three sub-groups advancing their respective slate of favorites (along with the inevitable horse trading associated with that approach), the RAC as a whole seems to be able to articulate a common vision of what projects it would like to support – especially when the ranking exercise is carried out by each individual RAC member instead of by the three sub-groups.

The Roseburg BLM RAC is a good example of the ways in which formally structured evaluation and ranking methods can promote the emergence of a collective and shared vision of the types of projects the RAC should support. This RAC has some of the most developed evaluation criteria and ranking methods of any RAC encountered in this study. Partly as a result of this and partly due to the related efforts of the professional facilitators with whom the RAC has engaged, the RAC is able to make all decisions about which projects to recommend for funding on a consensus basis. Not once since the RACs inception has there been a dissenting vote with respect to either approving or denying a group's Title II proposal. Other RACs with explicit ranking procedures, especially when the individual member rather than the sub-group ranks the application, also show signs of developing a shared understanding of what types of projects to collectively support instead of resorting to a strategy of "I'll support your project if you support my project." In such cases, of which the Northern Panhandle RAC in Idaho is one, the salience of which sub-group a member belongs to declines, in some instances to the point where members are no longer sure which group they belong to.

In the absence of explicit criteria and procedures for evaluating and ranking project proposals, the decision to recommend or not recommend a project is driven primarily by the legislative requirement that at least three of the five members in each sub-group support a project before it can be recommended for funding. This supermajority voting rule is designed to ensure that a project is supported by a diverse array of interests represented on the RAC. By balancing the influence of the three groups, this rule has generally functioned as the legislation intended. However, by itself it does not necessarily promote collaboration among RAC members, nor contribute towards the emergence of a common vision of what sorts of projects the RAC should be supporting. Furthermore, on occasions when the supermajority voting rule governs the project selection process, “horse trading” practices sometimes emerge in which members of one group will offer to support a project favored by one of the other groups in return for at least three votes in support of “their” project.<sup>6</sup>

Occasionally RAC meetings lack the required voting quorums in each of the three sub-groups. The supermajority rule requires that three from each sub-group support a project before the RAC can recommend it. Therefore, if less than three members of any sub-group are present at a RAC meeting, then the RAC’s project-recommending business must stop. This has been an issue in some RACs. Related to this issue is the situation in which two of the five sub-group members are absent; in this situation the remaining three members of the sub-group possess an inordinate amount of voting power because a “no” vote from any of them would prevent the RAC from recommending a project for funding. These issues are indirectly tied to the limited role of replacement RAC members. It was common during the fieldwork to hear dissatisfaction expressed about the lack of voting rights of replacement members, even when the sub-group they belong to lacked a quorum or was missing one or two members at a RAC meeting. This lack of enfranchisement is a big disincentive to the active engagement of what some termed as “alternates” on the RAC, but as outlined in the legislation, are replacements.<sup>7</sup> In some RACs, replacements are expected to review project proposals, attend meetings, and contribute to discussions, yet they are not allowed to vote on RAC proposals.<sup>8</sup> This asymmetry should be addressed in the reauthorization process.

In multi-county RACs there is almost always some attention paid to geographic parity, by which we mean the correspondence between the amount of funding a county contributes towards the RAC’s budget and the dollar value of the projects approved for implementation within that county. The concern that geographic parity be achieved, at least in a general sense, is common among RACs. However, this issue rarely becomes a driving force with respect to RAC deliberations.

The five-county Idaho Panhandle Forest Service RAC represents an unusual case in which the regional focus of the RAC, rather than concerns about geographical parity, drives

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<sup>6</sup> While “horse trading” does occasionally take place, the supermajority rule renders the emergence of a unified voting block within any one sub-group quite rare. This only occurred in one case study (the Coos Bay, Oregon RAC). In this example, the pro-county voting block that emerged was more reflective of the RAC member recruitment and selection process than of the nature of the supermajority voting rule.

<sup>7</sup> As outlined in the legislation and agency guidelines for RAC composition, replacements can vote only when a current RAC member has permanently resigned from the RAC, and has been replaced by a new member. Some RACs have been confused, or would like to see the legislation changed, so that *replacements* could function as *alternates*. That is, they could step in and vote if a member of their subgroup is absent from the meeting.

<sup>8</sup> In the Tuolumne RAC, replacements were allowed to participate in the initial round of proposal prioritization, the dot ranking method. Although this is contrary to the language of the legislation, it does them give a type of voting power.

RAC deliberations. In this multi-county RAC, members work collectively as a group to evaluate and prioritize project proposals, without regard to which county the project falls within. While the RAC has not yet recommended funding region-wide projects, nor do they use regional, landscape-scale information to evaluate proposals, they are nevertheless establishing the groundwork necessary for eventually working more explicitly at the regional scale. The ability of RACs to work at landscape and regional scales, without regard to agency jurisdiction or landownership boundary, offers the exciting possibility of coordinating both agency and private management initiatives in ways hitherto unrealized.

The six-county Olympic Peninsula Forest Service RAC represents a contrasting example in which concerns about achieving geographic parity seem to drive much of the RAC's deliberations. During the RAC's annual meeting, members break into caucuses of each county represented on the RAC (at least one commissioner from each county serves on the RAC). While in caucus, representatives of each county determine which group of projects to support within their own county, using the funds that their county has contributed to the RAC budget. When the RAC reconvenes as one group near the end of the meeting, each caucus presents their slate of preferred projects, which the RAC as a whole then votes on. This method does not comport with the intent of the legislation in terms of creating a diverse and representative decision-making body comprised of three sub-groups and requiring that all projects must be approved by a supermajority before being recommended for funding. Any situation in which a RAC member does not evaluate all project proposals either from the perspective of the interest group they are designated to represent, or from the perspective of an emerging collective sense of what the RAC should support, is one that compromises the integrity of the decision-making process, obscures what should be a transparent process, and may begin to undermine the legitimacy of the decision-making body.

Of the 15 RACs examined in this study, only two had professional facilitation of their decision-making process. The Roseburg, Oregon BLM RAC chose to pay for on-going professional facilitation services and the Tuolumne, California Forest Service RAC had the benefit of a Forest Service facilitator for the first year of its operation. In both cases the facilitators helped the RAC devise an explicit project evaluation and ranking process – one that both RACs continue to use with success and efficiency. The on-going facilitation of the Roseburg BLM RAC by a private sector facilitation team has been instrumental in helping that RAC shift away from position-based to interest-based deliberation process, build trust among RAC members, and develop (iteratively with sequential improvements) a decision-making protocol that works well and engenders consensus; in short, professional facilitation has helped this RAC to become the award-winning RAC that it is. In addition to these professionally facilitated RACs, the project coordinator for the Fremont-Winema RAC has also had training in facilitation techniques and workshop management. These skills have been useful in helping that RAC develop an effective collaborative decision-making process. While it is certainly true that not all RACs can afford the relative luxury of professional facilitation, it is clear that good facilitation is important for imparting to RACs the decision-making skills necessary for making the sorts of transparent decisions that preserve and strengthen the RACs accountability and legitimacy.

### *Leadership*

In addition to good facilitation, effective leadership is critical to RAC success. Leadership can come from the RAC chair, the Designated Federal Official, and the Project

Coordinator. Ideally, the DFO and the project coordinator play a facilitative role, while the RAC chair (and in some cases, vice-chair) need to be able to run meetings smoothly, move through the agenda, and employ good facilitation and communication skills. The RAC chair needs to be neither too weak nor too powerful. If the chair is too strong, a particular agenda may be favored, one that can include conflict with the federal agency. In the case of the Coos Bay, Oregon BLM RAC, the county has used the Title II program to advance county interests in a manner unmatched by any other case study RAC. Unresolved and at times fractious conflict has also characterized the relationship between this RAC, in particular the chair (and county commissioner), and the Designated Federal Official. Much of this conflict has revolved around differing interpretations of the purpose of P.L. 106-393 and the extent to which Title II funds are “county money.”

Conversely, if the chair is weak, then opportunity is created for the agency to play an overly-dominant role. When rules specify that the RAC chair must rotate amongst counties within multi-county RACs, e.g. the Fremont-Winema, Oregon Forest Service RAC, this helps mitigate against undue influence from any one county. Chair elections on a regular basis are important to avoid undue concentrations of power in one individual, but if the position of chair rotates too often the position becomes too weak, as occurred in the Del Norte, Forest Service RAC in California.

Effective agency leadership consists of supportive coordination and back-up from both the designated federal official and the project coordinator. In most cases, this has been the norm. Within most RACs, the concerned federal agency has prioritized working with the RAC in constructive ways and has dedicated as much staff support as the RAC requests. Often, the project coordinator for these RACs has been able to prioritize his or her RAC responsibilities within their own job description. These responsibilities include the work of soliciting project applications, organizing and distributing the binders of applications, helping to arrange RAC meetings and field trips, and generally playing a supportive role for the RAC. In the Roseburg, Oregon BLM RAC, the project coordinator, Jake Winn, has responded to RAC members’ requests for information concerning the “spending habits” of the RAC. Each year, Mr. Winn prepares detailed spreadsheets, graphs, and pie charts that depict the overall pattern of RAC spending for that year as well as all previous years. Information such as RAC spending by category, the ratio of funded to unfunded project applications by category, and the ratio of BLM to non-BLM project funding by category is presented annually to the RAC. This comprehensive quantitative record of what the RAC has chosen to do with its annual budget has proven useful for RAC members as they assess what they have accomplished to date and determine what, if any, adjustments they would like to make in subsequent years.

There are some study RACs in which the agency may be playing an overly dominant role. This tends to be the case when the RAC itself is relatively weak, for example if the chair is unable to provide strong leadership and/or if the RAC members have been unable to craft the culture of collaboration envisioned in the legislation. Under such circumstances the power vacuum left by these weaknesses is sometimes occupied by the federal agency. For example, within the Del Norte, California, Forest Service RAC the absence of both a RAC chair who exercises effective leadership and a strong culture of collaboration within the RAC created opportunities for the Forest Service to play a leadership role during RAC meetings and to use RAC funding to complete Forest Service infrastructure and road maintenance projects. While the same projects may or may not have been recommended had the RAC itself been more institutionally stable, if the RAC itself had been stronger the role of the Forest Service would



have necessarily diminished. Similarly, in the southwest Mississippi Forest Service RAC and the Medford, Oregon Forest Service RAC concerns were noted about the degree to which the Forest Service controls decisions over the way Title II funds may be allocated. While not pervasive, it is apparent that under some circumstances the federal agency may play an overly dominant role in the business of the RACs.

In other RACs, the agency seems to be playing a “backseat” role with respect to its obligations and responsibilities concerning implementation of Title II. This tends to be the case when RACs adopt a pro-county perspective and the federal agency fails to exert a countervailing force that might otherwise balance the RAC’s pro-county agenda. Two examples of this are the decision-making dynamics within the Coos Bay, Oregon BLM RAC and the Olympic Peninsula, Washington Forest Service RAC. Within the former RAC, funding recommendations have been made by the RAC and approved by the BLM that push the envelope in terms of assuring accountability and transparency. In one instance, the RAC recommended letting the county decide how to spend a lump sum of \$558,348 to pave and replace culverts on whichever of three proposed roads it chose. The RAC has also recommended (and had approved by the BLM) what are essentially block grants to the county for its noxious weed management program. These grants are not tied to specific weed control projects; the RAC left the specifics of those decisions to the county and the Coos County Noxious Weed Advisory Board. In the case of the Olympic Peninsula RAC, by allowing the RAC to break into what are essentially county caucuses to determine how to allocate county contributions to the RACs budget, the Forest Service is essentially undermining the legislation’s intent that a balanced and diverse group of people on the RAC collectively determine which projects to recommend for funding.

### *Meeting frequency*

The frequency with which RACs meet varies tremendously, from only once per year to as many as nine or ten times per year. Neither extreme of this range appears to be particularly optimal. It is difficult to conduct all the RAC’s yearly business in one meeting, even if it lasts for many hours. This is exemplified by the Coos Bay, Oregon BLM RAC and the Olympic Peninsula Forest Service RAC in Washington. In these RACs – which meet or used to meet only once per year - meetings are sometimes rushed and there is occasionally inadequate time to fully deliberate all of the project proposals. In order to streamline meetings, the Coos Bay RAC has voted to not allow presentations by project proponents – thus depriving the RAC members of useful information that in other RACs facilitates general deliberations and the project ranking process. In the Olympic Peninsula RAC, there just isn’t enough time to thoroughly discuss all of the proposals that the RAC receives. On the other hand, meeting as often as nine or ten times per year, as is done in the Southwest Idaho Forest Service RAC and some others, stretches the ability of volunteer RAC members to set aside this amount of time. This is an especially onerous burden for those in the private sector who have to take time off from work to perform their RAC duties. The optimal meeting frequency is probably directly related to the physical size of the RAC’s jurisdiction and budget and inversely related to the strength of collaborative relations among RAC members. Some RACs have reduced their meeting frequency as collaborative relations within the RAC take root. It is for this reason that the Eastern Arizona Forest Service RAC reduced their meeting frequency from three to five times a year to only once a year.

### *Administrative Overhead*

Federal agencies incur a variety of costs associated with supporting the RAC and administering, supervising, and implementing RAC-approved projects. Despite some agency attempts to cover these costs from appropriated funds, it is clear that they are unable to do so. So while the Forest Service and the BLM must recoup at least some of their RAC-related expenses from Title II funds, there remains some uncertainty about how this is to be accomplished. The Chief of the Forest Service provided regional offices with some direction about this issue in a January, 2002 memo, which stated that expenditures associated with the “direct costs of RAC management” such as facilitation, travel and per diem for RAC members, could be charged against Title II funds, but the salaries of agency employees who support the RAC, e.g. the project coordinator, should not be reimbursed from RAC funds.<sup>9</sup> The memo also noted that individual forests are responsible for negotiating indirect cost rates for managing the implementation of RAC-recommended projects, rather than charging their regular overhead rate. The BLM also recommended that newly-formed RACs should set rates for compensating the agency for overhead costs, but the agency did not specify what rates or fixed amounts to charge. Partly because decisions regarding how to charge for RAC-related expenses and project overhead were left up to individual forests and districts, there has developed a striking lack of consistency across RACs with respect to how agencies charge for these costs. Even within RACs, agency requests for compensation from the RAC for administrative and project overhead have not been consistent over the life of the RAC.

In a review of RAC administrative and project overhead costs among 40 RACs, the Sierra Institute found a wide diversity of approaches. In five RACs, the agency did not initially charge any overhead, but in three of these RACs the agency subsequently began charging overhead. In 28 RACs, the agency charges a percentage rate per RAC-recommended project, and, in some RACs, the rate varies if the project is an agency or non-agency project. Overhead rates tend to be higher for agency projects than non-agency projects, with rates for both varying between 4% and 12%. Some RACs, for the sake of simplicity, have decided to charge the same rate for agency and non-agency projects; most of these flat rates are between 8% and 12%, although some are as low as 4%. Sometimes the agency charges a fixed amount, rather than a percentage, to cover its expenses; in some cases an additional percentage fee is also levied on a per project basis. Non-agency project proponents benefit from these rate schedules because both flat rates and rates charged to non-agency projects are invariably less than the national Forest Service overhead rate of approximately 19%.

Evidence from the 15 case study RACs supports the conclusion that overhead rates vary considerably among and within RACs. For example, the Forest Service charges no administrative overhead against projects that the Idaho Panhandle and Colville (Washington) RACs recommend. When the Del Norte (California), Fremont-Winema (Oregon), and Tuolumne (California) RACs were initiated, the Forest Service initially charged no overhead, but later this changed. Now the Del Norte RAC is charged 10% for in-house projects and 5% for non-Forest Service projects; the Fremont-Winema RAC is charged 3.8% for all projects; and the Tuolumne RAC is charged \$1,000 per project (this rate is subject to revision in 2006). In the case of the Del Norte and Tuolumne RACs, RAC members resisted the change in policy concerning overhead charges and rates. In the case of the Fremont-Winema RAC, the Designated Federal Officer

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<sup>9</sup> January 14, 2002 Memo to Regional Foresters from the USFS Washington Office (FS\_Chief\_Memo.doc).

initially refused to accept the RACs offer to pay for administrative overhead and it was only after the RAC members insisted that the 3.8% rate was established.

Other RACs display yet other reimbursement rates. For example, the Coos Bay (Oregon) BLM RAC was charged 8% overhead by the agency; this was later changed to a fixed annual payment of \$120,000. The Siskiyou RAC pays the Forest Service a 10% administrative overhead fee. While the Wrangell-Petersburg RAC pays the Forest Service overhead fees using the agency's own rate schedule, the Forest Service also subsidizes many of the RACs organizational expenses such as expensive, long distance travel for RAC members to attend RAC meetings and the salaries of the Forest Service staff involved in facilitating and supporting the RAC.

In addition to the diversity of rates for recovering overhead, the Forest Service has different organizational approaches to the administration of grants and agreements with project entities. This is a huge issue for RACs with many projects. In Oregon, the agency centralizes this process, while in California it is delegated to local levels. While the local knowledge of forest-based staff can facilitate project administration when it is kept local, problems can arise. In some instances, experience and capacity constraints at the local level have led to significant delays in establishing contracts and paying groups for their work. Centralizing grant administration at the region does bureaucratize the process, but it can also remove local level idiosyncrasies. Whatever the cause, extended delays in processing contracts and making payments to non-agency project recipients and contractors has threatened projects and challenged the ability of small organizations to carry expenses over unreasonable periods of time. This has eroded some of the goodwill and relations built through RAC processes.

### *Criteria for Effective RAC Functioning*

Several points emerge from the preceding paragraphs regarding what seem to be characteristics that support effective RAC function. By effective RAC function we mean RACs that achieve the legislation's intent in improving collaborative relationships among interest groups and between them and federal public lands agencies, and that recommend projects that enhance ecological conditions and contribute to local and regional socioeconomic well-being. In order to fulfill these objectives, RACs must be able to function as independent decision-making bodies that support collaborative processes, and they must have a positive working relationship with the federal agency that charters them.

One of the most important factors in enabling RACs to support collaborative decision-making among interest groups that have often opposed each other is the presence of a budget with which to accomplish mutually agreed-upon, on-the-ground projects. Time and time again interviewees noted that the factor that most distinguished the RAC from other citizen-based advisory groups was the fact that, for the first time, members of the public actually had an operating budget with which to support stewardship-related projects. This dramatically changed the nature of discussions among interest groups. Now stakeholders no longer stood to gain by staking out positions or bluffing their opponents. The presence of the proverbial pot of money on the table brought previously polarized parties into the room and provided adequate incentive for them to identify arenas of action over which, in most cases, consensus could emerge. In fact, consensus—or some level of voting agreement—had to emerge if projects were to be funded, and every RAC member knew this. The importance of this point is hard to overemphasize.

A second factor concerns the internal dynamics of RACs. For a RAC to be able to support collaborative processes and maintain a positive relationship with its chartering agency, it needs to foster constructive group process as well as be independent of undue outside influence

from entities such as counties and the federal agency. A variety of elements provide RACs with these desirable internal dynamics. They include a membership that truly reflects the diversity of interest groups specified in the legislation. At least as a starting point, the process of peopling a RAC must be consistent with the legislation's intent to obtain a diverse cross-section of perspectives concerning public lands management issues. Both the accountability and the long-term legitimacy of a RAC are undermined when these principles of RAC membership and participation are not followed. A related point concerns the decision-making process itself. We have seen that RACs with the most constructive decision-making culture, one that encourages the emergence of a middle ground of mutually supported values and projects, usually employ explicit evaluation and ranking methods that operate at the level of the individual RAC member rather than at the sub-group level. While resorting to voting at the sub-group level may be an effective fallback option when consensus is elusive, the effort to achieve consensus through these and other collective decision-making tools and methods fosters the sorts of collaborative relationships the legislation envisioned. Key to these collective group processes is effective leadership and facilitation within the RAC. RAC chairs and, where they are used, facilitators, are important elements of an effective RAC. RAC chairs need to be able to be strong enough to help the RAC collectively create their own vision of what they would like to do and accomplish, while remaining sensitive to the processual requirements of successful participatory processes. RACs that have solid internal leadership and have developed a culture of collaboration will be able to operate as effective bodies that are not vulnerable to undue external influence.

In addition to the budget and internal dynamics of RAC function described above, a constructive and supportive engagement by the agencies with the RACs they have chartered also accounts for the general success of RACs. Almost without exception, the Forest Service and the Bureau of Land Management have mobilized the staff and financial resources necessary to effectively facilitate and support RACs. Rather than playing an overly-dominant role, most DFOs and project coordinators have used their skills and resources to help the RACs function as effective, independent decision-making entities. The trust and enhanced communication that have evolved as a result of this constructive engagement is abundantly evident in most RACs. As one county commissioner involved with the Olympic Peninsula (Washington) RAC noted, the "RAC brought us together again and we're getting to know some of the folks at headquarters." A county commissioner involved with the Fremont-Winema (Oregon) Forest Service RAC echoed this statement when she said that the "RAC further cemented the good relationship between the Forest Service and the community." Agency staff have been committed, both professionally and personally, to the success of the RACs they are involved with. As one Forest Service DFO remarked, working with the RAC has been "the highlight of my career."

In addition to supportive engagement with their chartering agency, another positive influence on the success of RACs is prior experience with collaborative decision-making processes. Especially in the western United States, there has been a move towards collaborative processes as a tool for transcending the gridlock and polarization that have dominated the regional natural resources management landscape for almost two decades. RACs that operate in areas with experience in collaborative approaches to conflict resolution have an advantage over RACs in other areas because of the social and institutional capacities that collaboration builds over time. In more than one case study, the prior history of collaborative decision-making in the area (sometimes involving the same individuals that populated the RAC) provided a jump-start in terms of the RACs ability to fulfill its legislatively derived mandate. Examples of this include 1) the ways in which the work of the Lakeview Stewardship Unit in Lake County, Oregon

contributed to the success of the Fremont-Winema Forest Service RAC, 2) the manner in which collaboration among the five county Idaho panhandle region and the five county Eastern Arizona County Coalition directly informed and facilitated the work of the two RACs in those areas.

### ***Title II Project Accomplishments***

Almost without exception, Title II dollars have been allocated for projects that meet the intent of the legislation and that are designed to achieve important, worthwhile ecological and socioeconomic objectives. As a rule, there are generally more proposals than can be funded. For example, between 2001 and 2005 the Roseburg, Oregon BLM RAC received 164 project proposals but only recommended 95 for funding. Similarly, the Eastern Arizona Counties Forest Service RAC received 59 proposals between 2003 and 2005, of which they recommended 31 for funding. Perhaps the Siskiyou, California Forest Service RAC has the highest proposals to funded project rate; only one out of every five proposals are funded on their first submission to the RAC. While the Siskiyou applicants may be the most frustrated group, the high number of proposals means that RAC members are able to support only those projects that they feel best fit the legislation's intent and the RAC's own project priorities. This helps guarantee that funded projects are good ones.

Table 1. Title II Expenditures, by category, for the 15 case study RACs.<sup>10</sup>

<b>Title II Expenditures</b>	<b>Dollars</b>	<b>Percentage</b>
Roads	\$14,624,623	26.2%
Habitat	\$9,409,972	16.8%
Watershed	\$4,931,909	8.8%
Forest Health	\$7,188,491	12.9%
Fuels	\$5,149,377	9.2%
Soils	\$70,858	0.1%
Weed Control	\$4,495,013	8.0%
Native Species	\$787,313	1.4%
Recreation	\$3,018,530	5.4%
History	\$61,350	0.1%
Other	\$6,138,577	11.0%
<b>Grand Total</b>	<b>\$55,876,013</b>	<b>□</b>

Table 1 shows the Title II expenditures for the 15 RACs examined in this study (Pennsylvania has not established a RAC). As the table shows, the largest category of spending is roads, representing just over \$14.6 million or 26.2% of total RAC expenditures. This aggregate category includes road upgrades such as grading and surfacing, as well as culvert replacements to solve problems associated with impending culvert failures. Some RACs have prioritized roads-related projects while others have not. For example, the Olympic Peninsula, Washington RAC allocated 59% (\$2,076,608) of their total expenditure for roads work while the Siskiyou RAC allocated only 9% (\$158,352) for roads projects, and most of these dollars were not for standard road improvement and maintenance because of a reluctance on the RAC to fund these projects. The Medford, Oregon Forest Service RAC allocated the largest dollar amount

<sup>10</sup> The project categories in this table were developed to match as well as possible both the P.L. 106-393 categories and the actual projects recommended for funding by the RACs. Many projects can easily fall under more than one category as they provide multiple types of benefits.

(\$2,456,214) to roads projects, but five other RACs also allocated between \$1 million and \$2 million for projects in this category.<sup>11</sup>

The majority of road projects addressed the widespread challenges associated with maintaining the aging road infrastructure on national forest and BLM lands. With the decline in timber harvesting, and the associated revenues, paying for road construction and maintenance has become an increasingly widespread and publicized problem, and one that the legislation explicitly recognized. While the investments needed to comprehensively address the backlog of road maintenance issues far surpass what RACs can do, RAC projects have addressed a portion of the most egregious road issues in those areas where RACs are active. Very few road projects included decommissioning.

The second largest category of RAC expenditure is for projects that restore, maintain, or improve wildlife and fish habitat. This category represents \$9.4 million or just under 17% of RAC expenditures. Projects in this category include efforts to improve in-stream and riparian habitat for aquatic species. Replacing culverts that impede or prevent fish passage constitutes one of the larger expenditure items in this category. Projects also include a variety of upslope habitat restoration, maintenance, and improvement efforts such as meadow restoration and vegetation management for wildlife purposes. By spending almost \$4.9 million (48% of its total expenditure) on projects in this category, the Roseburg, Oregon BLM RAC significantly outspent the other case study RACs; this amount accounts for more than half the amount allocated by the 15 case study RACs for this project category. The Medford, Oregon BLM RAC spent the next largest amount (\$2.4 million) on habitat projects. The other 14 case study RACs allocated less than 20% of their budget to habitat improvement projects.

The case study RACs allocated a total of \$4.9 million for watershed restoration and maintenance-related projects such as upslope stabilization efforts, downslope sediment reduction projects, and estuary-related projects, such as fish-friendly tidegates. The combined allocations among the case study RACs for roads, habitat improvement, and watersheds come close to 52% of the total amount allocated, and thus meet the legislative requirement that 50% of RAC dollars support projects “primarily dedicated to road maintenance, decommissioning, or obliteration or to restoration of streams and watersheds” (Sec 204(f) of the legislation).

Forest health-related projects constitute the third largest expenditure category. Forest ecosystem health projects tend to be pre-commercial thinning projects.<sup>12</sup> Three Oregon RACs (Fremont Winema Forest Service RAC and the Medford and Roseburg BLM RACs) together account for almost all RAC allocations in this expenditure category. These three RACs together allocated \$6,807,691, or 95% of the \$7,188,491 that all 15 case study RACs allocated in this project category. Most RACs have tended to veer away from forest health projects that involve extraction of merchantable timber or that may pave the way for such extraction. Many RAC members remarked that the avoidance of merchantable material-oriented projects stems from a desire on the part of the RAC to not tackle projects that might go the heart of deep-seated differences among RAC members, especially between traditional industry and environmental

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<sup>11</sup> The Wrangell-Petersburg, Alaska RAC adapted the notion of ‘roads’ to their own transport situation. Since there are very few miles of road on the two islands where Wrangell and Petersburg are located, the RAC interpreted ‘roads’ to include water transport routes, breakwaters, and landings – an interpretation that, given local conditions, stays well within the spirit of the law.

<sup>12</sup> Some environmental organization representatives on RACs prefer to call these projects “density management” projects.

positions, as this might overly stress the collaborative culture that is emerging in many RACs.<sup>13</sup> In the future, avoiding this class of projects may prove increasingly difficult because in some RACs there are relatively few remaining restoration and other projects around which broad support is easily obtained; this may push these RACs into more challenging classes of projects.

Some RACs have already developed the strength of collaboration that seems to be needed to address forest health projects, as evidenced by the large number of forest health projects recommended by the above mentioned three RACs. When the Roseburg BLM RAC decided to unanimously recommend the forest thinning project, one of the environmental organization representatives noted that had someone told her when the RAC was formed that one day she would support this kind of a project she would have told them they were crazy. This illustrates in a nutshell the kind of “radical middle” that some RACs have successfully cultivated. It is also of interest to note that the recognition of the need to actively manage forests in order to conserve them even extends, in some situations, to old growth stands – traditionally thought of as places to practice “hands off” conservation. An example of this is an old growth thinning project recommended by the Fremont-Winema, Oregon Forest Service RAC.

Fuels reduction projects represent the fourth largest expenditure category. That fuels reduction would be an area of concern for RACs, especially those in the western United States, is not a surprise given the widespread accumulation of fuels and fuel ladders and the links with wildfire, especially in the wildland urban interface zone. Given the pervasiveness of the issue, it is perhaps surprising that only one RAC, the Fremont-Winema, Oregon Forest Service RAC, accounts for 56% of the total expenditure in this project category. This RAC allocated \$2,888,327 of the \$5,149,377 that all the RACs together put towards fuels reduction projects. The balance of the fuels projects allocations came from six other RACs, four of whom allocated approximately \$.5 million and two that allocated approximately \$150,000 and \$50,000, respectively. The remaining eight RACs allocated no funding towards fuels reduction projects.

Fuels reduction projects are noteworthy because, like many other RAC-supported projects, they exemplify the creative ways in which RAC members and agency staff have sought to dovetail RAC project funds with other program funds. In this case, it is not unusual for National Fire Plan or Title III funding to support the necessary planning work that precedes the implementation of fuels reduction projects. Similarly, in cases where Title III support was used for fire planning purposes, including planning for fuels reduction efforts, support from the Healthy Forests legislation was often used to implement fuels reduction efforts. Thus, in this project category we can see the creative ways in which RACs and their partner agencies and organizations have dovetailed Titles II and III from P.L. 106-393 with the National Fire Plan and the Healthy Forests initiative.

Fuels reduction projects also exemplify the potentially troubling issue of RAC projects that create unfunded mandates for the Forest Service and the BLM. Unfunded mandates refer to the future investment obligations that an agency incurs by supporting the implementation of a project. For example, with respect to fuels reduction projects, once an area’s fuels have been removed, some sort of fuels maintenance regime needs to be implemented in order to prevent fast growing species from once again occupying the site. Other RAC projects also create

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<sup>13</sup> One additional reason for the dearth of forest health projects was proffered by the DFO of a BLM RAC. He noted that he has had more success in encouraging his staff to submit restoration-oriented culvert replacements and road upgrades and less success with getting the district’s terrestrial biologists to submit forest health-related projects. The reason for this, he thought, was that the terrestrial biologists have alternative programs and sources of funding through which to fund these sorts of projects, while the restoration-oriented staff do not.

unfunded mandates for the agency. For example, the installation of toilets or the renovation/reconstruction of campground facilities creates obligations for the Forest Service or BLM to continue to maintain these facilities. Unlike culvert replacement projects which one should be able to walk away from after completion, these and other sorts of RAC-funded projects cannot be walked away from – instead the agency must maintain a continuous, if generally low-level, investment to maintain the benefit of the initial project investment. The question of the extent to which the concerned agency is willing and able to shoulder these on-going costs is rarely explicitly addressed to the degree that it probably should be.

The control of noxious, invasive weeds represents another significant area of RAC support. At almost \$4.5 million, this project category received the fifth largest amount of RAC funding. Perhaps more than any other category of RAC expenditure, support for noxious weed-related projects was spread relatively evenly across all of the case study RACs. No one RAC's allocation for weed control accounts for a disproportionately large percentage of the total allocation across all the RACs and only four RACs allocated less than .1% of their budget for weed projects. The remaining 11 RACs allocated between 4% and 26% of their budget for projects in this category. RAC support for noxious weed management has been important in many areas for building the institutional capacity necessary for maintaining on-going weed control efforts. Many county Weed Advisory Boards have been revitalized through RAC support; in some instances the weed control components of other county-level organizations, such as Soil and Water Conservation Districts, have been strengthened through RAC support. Title II support for implementing weed control projects has been complemented, in many areas, by Title III support for education and outreach programs related to publicizing the extent of the problem and educating landowners and the public regarding methods for slowing the spread of noxious weeds as well as their eradication.

Five RACs recommended funding projects related to the reestablishment of native species. Although the total amount invested in this project category is relatively small (\$787,313), the projects that have been authorized are important because they involve establishing native plant propagation programs. The native species that these programs produce are important because they supply ecologically desirable plants for revegetating areas through the implementation of RAC-funded projects such as fish passage enhancement, riparian improvement, roads work, and other vegetation management efforts. As such, they complement other RAC-supported work and help to reduce the spread of noxious or invasive weeds that are sometimes found in the hay and straw used to finish a variety of restoration-related projects.

Recreation-related projects were supported by all but three of the case study RACs. Comprising approximately 5% of the total amount allocated by the RACs, recreation projects consist primarily of trails, campground, and other recreation-oriented infrastructure repair, maintenance, and in some cases construction. Much of the trails work was accomplished with youth employment organizations such as the Northwest Youth Corps, the Oregon Conservation Corps, and the California Conservation Corps. The employment generation and job training aspects of this work are discussed below. Although most RACs that supported recreation projects allocated a relatively small percentage (14% or less) for recreation projects, four RACs chose to prioritize projects in this category. The Wrangell-Petersburg, Alaska RAC, the Del Norte, California RAC, the Idaho Panhandle RAC, and the Lincoln County, Montana RAC allocated 31%, 28%, 24%, and 20% of their total budgets for recreation-oriented projects. In the case of the Del Norte RAC, much of the RAC's support for recreation projects was dedicated to the reconstruction of a historic wagon trail that used to connect the coast with the interior valley in



northwest California. This was a high priority project that the RAC considered its “legacy” project. In other RACs, at least some members expressed a desire to fund more recreation projects. However, RAC members and often the involved agency personnel more often preferred to fund on-the-ground projects that enhanced or improved environmental conditions, rather than projects that enhanced human use of the public lands.

With only \$70,858 and \$61,350 allocated by all the case study RACs for soils and history-related projects, respectively, it is clear that these are the two lowest priority project categories. Only two RACs (Siskiyou, California and Tuolumne, California) recommended projects that could be categorized exclusively in the soils category, while the Tuolumne and one other RAC (Lincoln, Montana) recommended history-related projects. Of the two soils projects, one involved capturing feral horses to halt the erosion they caused, while the other entailed range productivity improvement. The history projects involved the preservation and repair of historic structures.

The project category “other” represents a significant proportion (11%) of the RAC’s total recommended funding. All RACs have recommended funding projects in this category. While most RACs allocated less than 10% of their total budget to budgets in this category, a few allocated more. For example, the Del Norte, California, Medford, Oregon, and Eastern Arizona RACs allocated 21%, 19%, and 17% of their budgets to projects in this category while the Southwest Mississippi RAC allocated a full 69% of their budget to a project in this category. Examples of “other” projects include forest interpretation and education programs, support for Fire Safe Councils, management plan development, and enhancing agency GIS capabilities. The Mississippi RAC’s large allocation of funds in this category is to support the planning and preparatory work for the design of a wastewater treatment and disposal system of the Okhissa Lake watershed in the RAC’s area of jurisdiction.<sup>14</sup> This is one component of a lake and recreation-oriented development package that county officials and economic development planners in the region believe will become an important source of future revenue and employment generation.

While this section has provided a snapshot of RAC spending patterns, it is also illuminating to examine changes in RAC spending patterns over time. We do this using the example of the Roseburg, Oregon BLM RAC. The project categories for which this RAC has recommended the most funding are fish passage enhancement, road improvement, stream improvement, and youth crews. The RAC has recommended \$3.6 million for fish passage enhancement, \$1.7 million for road improvements, \$1.3 million for stream improvement, and \$1.1 million for youth crews. When funding patterns are viewed over the first five years, a strong trend towards supporting more diverse projects is clearly visible. During the second, third, fourth, and fifth years, RAC members chose to reduce funding levels for high-priority project categories, such as road improvements and fish passage enhancement, in order to support the increasing diversity of project proposals. For example, RAC support has grown for projects in the infrastructure maintenance, restoration project development, education, and information management categories. During this same time period, the RAC received an increasing number of project applications from non-agency project proponents. For example, the number of non-agency proposals increased annually from 8 in 2001 to 20 in 2005 and the number of non-agency

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<sup>14</sup> This project was categorized as “other” because it fit in no single category well. This classification should not raise questions about the appropriateness of the project; rather it reflects more on the challenge of categorizing a project that confers private and federal watershed benefits, along with identifying appropriate contracting methods for the project, which was the source of questions in the first place.

projects recommended for funding also increased from 6 in 2001 to a high of 14 in 2004. This increase in the diversity of projects the RAC now supports reflects both shifts in the types of project applications that are submitted and a maturing process within the RAC as members broaden their own understanding of the RAC's role and the types of benefits it can provide.

*Innovative Projects, or Projects the Agencies Should Be Doing Anyway?*

The issue of whether RAC-supported projects entail work that the agencies should or would be doing without Title II support, or whether RAC projects are advancing new, creative, and innovative ways of securing both environmental and socioeconomic benefits, is relevant and, at least in some RACs, is debated by RAC members at recurring intervals. Some RAC members feel that the agencies are using RAC funds to carry out work that should be funded from other sources within the agency's budget. For example, when RAC support constitutes the bulk of a district's roads budget, some RAC members, especially those representing environmental organizations, understandably question whether or not this is an effective way of utilizing scarce RAC dollars. The criticism is valid, for it is unlikely that the framers of the legislation intended RAC dollars to be used for completing basic infrastructure maintenance work that should happen anyway. However, given the extensive budget cuts that both the Forest Service and BLM have been experiencing, it is entirely to be expected that agency staff would look to the RAC to secure funding for essential management tasks that are not getting funded within the organization. This dynamic is heightened by the precipitous drops in timber harvesting activity, which had hitherto provided funding for road system and related infrastructure maintenance and for restoration work. RAC dollars are playing a crucial "bridging" role in enabling agencies to continue their work in these arenas, albeit at reduced levels of investment. Furthermore, if this work was not accomplished, there would be serious negative consequences, both in terms of the environmental costs of "doing nothing," and, in some instances, the elimination of important ecosystem management infrastructure. Although the use of RAC funds in a bridging capacity is understandable, it also severely restricts the ability of RACs to support the innovative, creative projects that the legislation is designed to support. While the installation of sweet smelling toilets in high use areas of a national recreation area, as was supported by the Del Norte, California RAC, is understandable given public health issues, it is perhaps regrettable that tapping into RAC dollars was the only way to pay for such a basic piece of infrastructure.

Despite concerns that RAC dollars are supporting work that should be done anyway, there are also numerous examples of RACs that are funding innovative projects that entail multi-agency partnerships, links with grassroots organizations in rural areas, and a diverse variety of funding sources and related programs. These projects often revolve around restoration, weeds, or youth. They entail creative partnerships with community-based organizations, and they embody the best qualities associated with leveraging dollars, meshing related programs and funding sources, community engagement and participation, and innovative approaches to cross-jurisdiction landscape-scale ecosystem management. We have already discussed the innovative ways in which some counties and RACs have used Title III and Title II support for fire planning work and then secured funding through the Healthy Forests initiative and the National Fire Plan to implement the projects identified in the planning process. This is a common phenomenon found throughout most of the western states RACs. Below we highlight a few of the many outstanding RAC-supported projects.

The Tuolumne, California, Forest Service RAC has embarked upon an extensive and innovative effort to reduce and manage the dangerous build-up of fuels in the area of its

jurisdiction (located on the western slope of the southern Sierra Nevada range). High profile fuels reduction projects that build on years of prior discussion involve diverse partners such as the Stanislaus National Forest, California Department of Forestry, California Conservation Corps, Tuolumne County Fire Department, local Fire Safe Councils, and the University of California Alumni Association. Some fuels reduction projects, implemented along highly visible travel corridors, have triggered an “awareness wave” among local residents regarding the importance of creating defensible space around residences, especially those located in the wildland urban interface. This suite of projects also includes special provisions for helping seniors and disabled residents meet state defensible space laws. These projects are significant (and award winning) because of the creative ways in which they combine extensive community partnerships, leverage in-kind and hard cash contributions, integrate education and outreach with fuels reduction projects, and have created a ripple effect of fuels reduction efforts in the region.

The Roseburg, Oregon BLM RAC’s work on fish passage enhancement deserves mentioning here. This award-winning RAC strongly supported fish passage projects. At approximately \$3.6 million, fish passage projects represent about 37% of the Roseburg RAC’s total outlay. Each year, significantly more fish passage projects are proposed than are funded, thus allowing the RAC to select top priority projects. Between 2001 and 2005 the RAC recommended funding projects to replace 24 aging culverts that constituted barriers to fish passage. Their subsequent replacement opened up approximately 47 miles of previously unavailable stream habitat for salmonid and other aquatic species. The state-of-the-art culverts are designed to last 50 to 100 years. They constitute a significant investment in the region’s public lands’ road infrastructure and, because of the checkerboard pattern of public/private land ownership, adjacent industrial and nonindustrial landholders alike benefit from these investments. Of the 23 fish passage projects, five were proposed and implemented by non-BLM entities such as watershed councils and the Douglas Soil and Water Conservation District. This demonstrates the extensive partnerships between the BLM and other organizations that the RAC has helped to forge.

The Roseburg BLM RAC has also worked to address issues and challenges that cross landownership boundaries, and to partner with adjacent landowners and other key agencies and organizations to advance restoration objectives both on BLM-managed lands and on adjacent privately-owned forestland. Two grants to the Douglas Soil and Water Conservation District in support of the district’s fish passage inventory initiative reflect these goals and objectives. The grants support a multi-party collaborative effort called the Umpqua Basin Fish Access Team (UBFAT) that involves the Oregon Departments of Fish and Wildlife, Oregon Department of Forestry, Umpqua Basin Watershed Council, Forest Service, Bureau of Land Management, timber companies, and non-industrial landowners in the Umpqua basin. The purpose of this project is to do the outreach necessary to private landowners in the basin in order to obtain permission to conduct surveys on private property regarding stream crossings and barriers to fish passage.

Projects such as fish passage inventories and databases of past restoration projects combined with habitat surveys at restoration project sites are providing the Roseburg BLM RAC (and indeed the whole restoration community) with important landscape-scale tools and layers of information. These tools and information layers are essential for effective site evaluation and strategic investment of limited restoration funds. They are beginning to enable the RAC to adopt a landscape-scale perspective when it comes to determining how they can most effectively

support restoration-oriented projects. The Roseburg BLM RAC is one of the few RACs that has begun the tasks necessary to organize its work and activities at the landscape scale.

RACs have also developed impressive track records with respect to their ability to leverage other forms of support, both in terms of in-kind and hard cash matches/donations. While virtually all RACs do leverage additional support and funds, a few examples illustrate the extent of leveraging they can accomplish. A local nonprofit organization that has received support from the Del Norte, California RAC has used two RAC grants to leverage more than 2,727 hours of volunteer labor for noxious weed, litter, dumpsite, and unofficial shooting range clean up. The Olympic Peninsula, Washington RAC essentially doubled its effective budget by using its \$3.5 million cumulative budget for fiscal years 2002-2005 to leverage another \$3.5 million from Forest Service funds and other sources to implement on-the-ground project work. Similarly the Tuolumne, California RAC doubled its effective budget by leveraging \$1 million in matching funds from the Forest Service and elsewhere during the same time period.

#### *RAC Ability to Partner with Non-Agency Entities*

The great majority of RAC grants go directly to the Forest Service or BLM. This is not surprising given the requirement that RAC-funded projects benefit public lands. However, there is also an emphasis on community participation within the legislation, which specifies that P.L. 106-393 funds may be used to enter into agreements with “Federal agencies, state and local governments, private and nonprofit entities, and landowners” (Sec. 202.). This provision clearly signals that non-agency entities are eligible to receive funds from RACs. Some RACs have clearly prioritized working with non-agency entities and have approved a significant number of non-agency projects for funding. These RACs have gradually approved more and more non-agency projects as non-agency entities learn about the Title II program and develop or refine their capacities to successfully develop proposals for the RAC to consider. RACs that have prioritized community partnerships for project implementation include the Colville, Washington RAC, the Siskiyou and Tuolumne, California RACs, the Wrangell-Petersburg, Alaska RAC, and the Roseburg, Oregon RAC.

Supporting the work of non-agency entities with RAC dollars is important because it helps to build community partnerships and collaborative relations around public lands resource management, as intended by the legislation. However, there are significant barriers to entry for non-agency groups. These include the capacity to plan, design, develop, write proposals for, and implement complex projects that comport with the list of approved Title II project areas. These are not insignificant barriers and only organizations with a successful track record of this type of work can successfully compete against a federal agency for RAC support.

However, those entities that can successfully bid for RAC dollars offer the federal agency a unique opportunity to develop meaningful community partnerships and to implement projects that may be off of (but usually adjacent to) federal lands. Examples of using RAC funds to strengthen community partnerships include the grants recommended by the Siskiyou, California Forest Service RAC to the Shasta Valley Resource Conservation District for riparian restoration and exclusionary fencing on a privately-owned ranch located between the Klamath and Shasta-Trinity National Forests. The project is designed to improve spawning habitat for anadromous fish species and will benefit adjacent and hydrologically connected private and public lands. Projects such as these embody a landscape-scale perspective on ecosystem management, one that is able to transcend property boundaries in the interest of working on an ecologically meaningful scale.

In those cases where RACs have successfully supported the efforts of non-agency entities, they have done so because non-agency entities, e.g. watershed councils, weed advisory boards, soil and water conservation districts, and youth-oriented conservation work organizations, already possessed the requisite capacities to engage with the process. RACs have not built local capacity for this kind of work. Indeed, many have devoted minimal resources to outreach efforts to enlarge the group of organizations that receive RAC funding. This means that groups that were previously not involved in decision-making forums for public lands continue to be disengaged. Examples of these groups include Latino and Native American groups, and non-timber forest products collectors and harvesters. By not reaching out to these stakeholder groups, RACs limit the social scale and scope of their efforts and foreclose opportunities to partner with the full range of people interested in and knowledgeable about public lands natural resources. While reaching out to historically underrepresented groups and crafting innovative ways to help them develop the capacity to effectively engage with the RAC process is certainly not an easy task, there are many success stories of involving these groups in collaborative public lands decision-making processes. These examples offer insights regarding how RACs could expand the range of groups they partner with. This is unlikely to occur, however, unless the involved federal agencies take a lead role in encouraging RACs to move in this direction. This would be an appropriate role for the agencies to play, and one that is certainly consistent with the legislation, which acknowledges the need for P.L. 106-393 to “build new, and strengthen existing relationships and to improve management of public lands and waters” (Sec. 2(a)(15).

### *Employment Generation – Permanent Jobs*

RACs support local employment generation primarily by specifying that contractors who work on RAC-funded projects be from a relatively short distance away. This can make a difference for local contractors, especially when combined in a synergistic manner with similar locally-oriented efforts to make other public lands-related work contracts available for local contractors. However, by themselves, RAC-supported projects are not able to generate full-time, family-wage jobs. This is because RACs have neither the budget, the decision-making authority, the planning horizon, nor the institutional capability necessary to create full-time jobs. Promising job creation through this program is disingenuous if by “job creation” we mean full-time, permanent work at family wage levels.<sup>15</sup>

That said, most RACs are concerned about sustaining and indeed increasing local, natural resource-based employment. While specifying that contracts be awarded to local contractors whenever possible is one way of supporting this goal, some RACs have proactively addressed this issue in other ways as well. Examples of two such RACs are the Fremont-Winema, Oregon RAC and the Siskiyou, California RAC. For members of the Fremont-Winema RAC in remote Lake and Klamath Counties in southern Oregon, finding creative ways to sustain the dwindling forest management and restoration workforce and infrastructure has been an abiding concern that predates the passage of P.L. 106-393. Fortunately, the Fremont-Winema National Forest staff have also been interested in working with local leaders on ways to address this issue, as have the State of Oregon’s Department of Employment, the Portland, Oregon-based nonprofit

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<sup>15</sup> A Sierra Institute study of the natural resources restoration sector in Humboldt County, California determined that the approximately \$14 million investment in restoration in 2002 supported 210 FTEs (Full Time Equivalents) of employment distributed among approximately 300 jobs in the private and public sectors and within tribal government (Baker, 2005). This provides a rough rubric for assessing the magnitude of investment required for creating full-time employment in this sector.

organization Sustainable Northwest, and a local group called the Lakeview Stewardship Group. Working together, these entities have managed to reauthorize the historic Lakeview Sustained Yield Unit and refocus its orientation towards sustainable forest management, restoration, and local employment generation. They have also created a local nonprofit, Lake County Resources Initiative, located in Lakeview, the county seat, whose purpose is to secure sustainable, living wage jobs in natural resources management, and to enhance forest health on the sustained yield unit. Together, these entities have worked assiduously to, among other things, build local contractor capacity to successfully bid on Forest Service contracts and to modify the size and related specifications of those contracts to make them more amenable to local contractor capacities. Many members of the Fremont-Winema RAC have also been involved in these entities and activities and so they bring to the RAC a heightened awareness of both the challenges and opportunities related to generating local natural resources-related employment. The RAC builds upon and advances the work of these entities. It recommends funding for the kinds of jobs local contractors can effectively bid on, e.g., small to medium size equipment intensive projects, and works with Forest Service contracting officers to ensure that contracts, to the extent possible, are developed in ways that enable local contractors to bid on them. Clearly, this RAC not only is situated within a high capacity institutional environment vis a vis employment generation, but it has also, through its own efforts, significantly contributed towards the goal of generating local employment opportunities.

Members of the Siskiyou, California RAC are also concerned about local employment generation. While there may be fewer civic organizations addressing these issues in Siskiyou than in the Fremont Winema RAC counties, they have nevertheless thought long and hard about how to help create full-time employment opportunities through the Title II program. Having grown dissatisfied with the inability of smaller projects to provide permanent, fulltime employment, the Siskiyou RAC is now discussing the idea of promoting fewer, larger projects that actually have the potential to generate permanent jobs, and that contribute to the expansion and diversification of the local economy. One such project is a roundwood utilization center involving a large number of local partners. The proposed project would expand an already existing gallery into a much larger regional arts center. The building would utilize roundwood, a wood chip and clay mixture, and other materials from area fuel reduction projects. The project would involve training people in the new building techniques and it would serve as a spring board to establishing a prefab industry for similar roundwood structures and building supplies from forest products.

### *Employment Generation – Seasonal Jobs for Young Adults*

While RACs are challenged to create permanent, fulltime, family-wage jobs, through partnerships with organizations such as the Northwest Youth Corps, California Conservation Corps, and the Oregon Youth Conservation Corps, they have successfully created thousands of seasonal employment opportunities for young adults. RAC support has enabled youth work crews from these organizations to implement projects related to trail and campground maintenance, noxious weed removal, tree pruning, tree planting, and native seed collection and propagation. In addition to accomplishing natural resources management objectives, the programs these organizations have developed also prioritize education, job training, skills development, and confidence-building objectives. Many RACs and agency staff value both sets of objectives. For example, one Designated Federal Official noted that these programs are important because of the ways in which they enable the BLM to do something “for the good of

the community.” He acknowledged that, for BLM staff, embracing the importance of these social outcomes “has been an interesting education,” especially when working with youth crews means sometimes getting fewer acres treated. Indeed, some RAC members have struggled to accept that it is sometimes worth accomplishing a little less on-the-ground work in exchange for making a difference in a youth’s life when it comes to allocating scarce RAC dollars. Despite such reservations, many RACs consistently support projects involving youth employment. This indicates that RAC members believe their work includes a social mission, one that involves supporting projects that are designed, at least in part, to exert a positive influence on youth – in addition to accomplishing important on-the-ground outcomes. As one member of the Roseburg, Oregon BLM RAC noted, “We love the Northwest Youth Corps and the Oregon Youth Conservation Corps.”

The Northwest Youth Corps is a good example of a nonprofit organization with whom RACs in the western United States have successfully partnered. Since 1983, the Northwest Youth Corps has been providing education, employment, and job-training programs for youth, especially in the area of natural resources conservation. Between 2002 and 2004, the Northwest Youth Corps used Title II and Title III support to provide summer employment opportunities to over 1,400 young adults in the Pacific Northwest. In addition to participating in the organization’s job training and educational programs, these youth have earned money while completing forest health, recreation, habitat improvement, and wildfire prevention projects.<sup>16</sup>

For some young adults, the importance of participating in RAC-funded youth employment and conservation projects transcends a summer job that integrates skill development and job training. These programs also represent life transforming experiences for people whom society would otherwise categorize as “losers,” “high risk,” and socioeconomic dropouts. The students enrolled in the Phoenix School in Roseburg, Oregon who participate in RAC-funded natural resources conservation projects are a good example of the ways in which such programs can help transform young adults from being potential societal dropouts into productive, contributing members of society. The Phoenix School used the standards, training and curriculum materials, and financial support from Oregon’s Youth Conservation Corps program as the starting point for developing part of its innovative and award winning educational and employment package for at-risk youth in Douglas County. The program enjoys widely acknowledged and celebrated success, and has helped transform the lives of its participants. As Executive Director Ron Breyne notes, the “group that was least likely to be employable now graduates and has 98% employment at living wage jobs.” These examples illustrate the point that, while RACs may be limited in their ability to generate permanent, family-wage jobs, it is difficult to underestimate their potential to positively affect the lives of young adults and to increase the likelihood that some day they will be able to secure permanent, family-wage employment.

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<sup>16</sup> As described in the Northwest Youth Corps’ 2004 Progress Report, 1,450 young adults logged 17,475 worker days between 2002 and 2004. During this time they accomplished many goals, such as constructing 8.5 miles of new trail, reconstructing 474 miles of old trail, building more than 1,000 trail drainage structures and 2,700 feet of retaining wall, pruning 352 acres of conifers, removing noxious weeds from 470 acres, planting 15,500 trees, seeding 31 acres with grass, removing 5,060 of unwanted range fencing and building 3.25 miles of new fencing.

### *Title II Monitoring*

P.L. 106-393 clearly calls for monitoring of RAC-recommended projects. However, many RACs only partially satisfy the legislative requirement that they include a detailed monitoring plan for each project that they recommend for funding. Furthermore, where monitoring plans are included as part of a project description, it is often unclear who is responsible for collecting, reporting, and analyzing the financial, socioeconomic, and ecological monitoring information that the plan specifies. It is also unclear how the monitoring data is to be used, for what purpose, and by whom. Given the considerable vagueness surrounding the issue of monitoring, and the fact that even the most basic monitoring requires an expenditures of funds and energy, it is perhaps not surprising that there is a rather uneven track record with respect to monitoring of Title II projects, especially given the high priority most RACs place on getting the dollars “on the ground.”

Currently, systematic monitoring occurs at the level of financial accounting and verification of project implementation. Undertaken primarily by the contracting divisions of the Forest Service and BLM (but often with the involvement of the project coordinator), this type of monitoring ensures that contractors on RAC-recommended projects implement work plans according to the required design specifications. With agency personnel conducting on-site visits to verify compliance with project descriptions, this form of monitoring enables the RAC to ensure that projects are actually implemented per the project application description. Within some RACs, the project coordinator periodically reports back to the RAC regarding the progress that has been made on implementing previously-recommended projects. While this information assures the RAC and the federal agency that projects are implemented as planned, it does not provide information on the socioeconomic impacts of the project, nor does it generate information regarding the extent to which the project produced the desired ecological outcomes.<sup>17</sup> These latter categories of information are generated through effectiveness monitoring protocols.

While a few RACs do engage in various types of effectiveness monitoring, most do not. RACs that do not engage in effectiveness monitoring constrain their own ability to engage in adaptive management – in short, to learn from what they have done and to adjust the repertoire of projects they support based on the successes and challenges of prior rounds of projects. RACs that do not engage in effectiveness monitoring also miss opportunities to assess the socioeconomic effects of the projects they approve, particularly within the arena of local employment generation. By not evaluating the employment generating effects of different kinds of projects, such RACs are hard pressed to know which projects to support in order to maximize local socioeconomic benefit. If RACs were able to develop and implement effectiveness monitoring protocols, RAC members would be able to more accurately assess the likely socioeconomic and ecological effects of proposed projects.

Some RACs have worked towards developing a more robust monitoring program. For example, several case study RACs incorporate field trips into their annual calendar of meetings. Field trips can provide important opportunities for RAC members to see first hand what some of the RAC-recommended projects have accomplished. While this does not provide a

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<sup>17</sup> In many cases this level of monitoring does provide information, often quantitative, regarding project accomplishments, e.g. number of culvert replacements, acres of noxious weeds treated, miles of road upgraded, and jobs created. However, the lack of clearly defined criteria for assessing outcomes (for example how is a “job” defined) has occasionally rendered some of the reported outcomes unreliable and points to the inherent difficulties of self-reported accomplishments.



comprehensive view of accomplishments, many RAC members commented on how useful it was to be able to see some project outcomes. Even this level of information has proven useful to RAC members in deciding whether or not to support projects similar to those the RAC had previously recommended.

A few RACs have taken the initiative to actually develop effectiveness monitoring protocols that generate comprehensive and reliable information. For example, the Tuolumne, California Forest Service RAC has developed a one page “Title II Project Accomplishments Tracking Form” that grant recipients complete annually until their projects are completed. The form requests information regarding accomplishments to date and photographs documenting the various stages of the project. This form provides RAC members information similar to that obtained on field trips, but for all RAC-recommended projects.

The Fremont-Winema RAC is an example of a RAC that has addressed outcome and effectiveness monitoring in several ways. Because of this RACs concern about and interest in local employment generation, the DFO and RAC members have created a detailed form for contractors to complete regarding the number of person days and type of work that are actually generated when fulfilling contracts on RAC-recommended projects. This information is compiled by the Forest Service and used by the RAC to help track the employment generation effects of projects. By tracking employment information at this level, the RAC has produced credible, concrete evidence of socioeconomic outcomes. This information has enabled the RAC to tailor its support for projects that generate more, rather than less, local employment, and to work with the Forest Service on packaging contracts in ways that facilitate local employment generation.

The Fremont-Winema RAC and other RACs, such as the Roseburg, Oregon BLM RAC, have also addressed monitoring issues by recommending monitoring-related projects. The Chewaucan Monitoring Project is a “poster-child” project of the Fremont-Winema RAC because of the ways in which it involves local youth in the development of scientifically innovative protocols for monitoring ecosystem parameters within one of the area’s key watersheds. Like other RAC-funded monitoring projects, this effort focuses on monitoring restoration-related parameters. It is also well known because of the ways in which it demonstrates principles related to community-based, third party monitoring. The Roseburg RAC has also funded several monitoring-related projects. These projects have supported the development of a watershed monitoring program in the Umpqua River basin, the training of volunteers to monitor watershed health, the establishment of a central database for all of the restoration projects in the Umpqua River basin, and efforts to provide technical support to landowners in the basin regarding stewardship, restoration, and monitoring.

These sorts of monitoring projects are indicators of organizational maturation within RACs. They begin the difficult task of effectiveness monitoring because they investigate, for example, the effects on watershed health of restoration projects. They also constitute important tools and layers of information that enable the RAC to adopt a landscape-scale perspective with respect to project proposal evaluation and strategic investment of limited restoration funds. However, these intensive monitoring projects significantly differ from program-level monitoring, both at the level of individual RACs, and at the state or national level. An effectiveness monitoring program covering the full suite of RAC-recommended projects does not yet exist for any RAC. Information from such a program could be aggregated at the state and the national level. When combined with the programmatic monitoring undertaken within a study of this type, it would provide a comprehensive understanding of the socioeconomic, ecological, and

institutional effects of P.L. 106-393, and would constitute a solid foundation for advancing other resource management approaches that seek to accomplish desirable socioeconomic and ecological stewardship objectives.

## CONCLUSION AND RECOMMENDATIONS

### *Introduction*

This study of the Secure Rural Schools and Community Self-Determination Act (P.L. 106-393) focused on Titles II and III. A total of 16 case studies were conducted in nine states. They include an analysis of the functioning of 15 Resource Advisory Committees (RAC) and the projects they have funded (Pennsylvania did not have a RAC) as well as Title III projects in associated county areas. Case studies are based on the first three or four years of the legislation; the exact time frames differ because analyses were conducted over an 18-month period. The Mississippi case study reviewed Title III expenditures for the whole state as well as the formation and functioning of the state's only RAC, the Southwest Mississippi RAC. A sub-study of all California Title III expenditures for the first three years was undertaken to supplement case studies and to track patterns across a large state with diverse counties. The study also includes a review of the procedures the BLM and Forest Service have adopted to cover administrative overhead costs incurred in working with RACs, an issue that has generated increasing frustration among some RACs.

The conclusions and numbered recommendations that follow are based on these studies informed by findings from a historical analysis of the formulation and passage of the bill and analyses of the institutional processes and entities that determined and administered Title II and III allocations. The legislative analysis gives insights into the process that led to the crafting of the legislation in its final form and clarifies the intentions and objectives of the framers. In more than a few places, this has cast important light on legislative intent where the language of the bill is unclear or when subsequent debate and interpretation have muddled issues, and has helped us sharpen questions and interpret our findings.

This study of the Secure Rural Schools and Community Self-Determination Act yielded powerful findings about how well the legislation has met the intent of its framers and reveals some of the problems encountered in its implementation to date. Perhaps most importantly, this study shows how successful the legislation has been in developing collaborative relationships among RAC members, and between RACs, and the counties and the federal agencies. It also reveals how these relationships have helped to shape projects that are now improving forest and watershed health on federal lands and enriching education and services associated with the counties' natural resource endowments.

### *Comprehensiveness of the Study*

Of the 16 case studies, 15 were in the eight states receiving the highest total payments allocated to Titles I, II, and III of the act, and Pennsylvania was ranked number 10. Cases were examined in the seven states where counties<sup>1</sup> have allocated the highest totals in dollar terms to Title II; Mississippi was ranked 10<sup>th</sup> and Pennsylvania had no Title II dollars. A total of 99% of all Title II dollars and 86% of Title III dollars were expended in the states in which case studies were conducted. The 16 case studies themselves include 36.2% of all Title II and 21.2% of all Title III allocations in the first four years of the program. The 21.2% total does not include project dollars tabulated as part of the California Title III analysis, which consists only of a classification of project categories and a determination of whether funds were allocated administratively or awarded as project funding. There was no analysis of individual projects or

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<sup>1</sup> As used in this section of the report, the term "counties" should be read to include those cities and boroughs in Alaska that have chosen to participate in the P.L. 106-393 program.

interviews with individuals familiar with them. The 16 case studies do, however, include three full case studies of county-based RACs in California.

### ***Funding Decisions***

Nationwide, a total of 85% of all counties eligible to opt into the secure payment program have done so. The decision to opt into Title I of the Secure Rural School and Community Self-Determination Act was an easy one for most counties. Title I payments guarantee counties a stable source of revenue to provide the basic services of road maintenance and education for their citizens. The high proportion of counties that opted into the program is an indication of the difficulties forest-dependent communities face in providing these services drawing on a tax base that is constrained sometimes by poverty, always by the tax-exempt status of the public lands within their boundaries, and most recently by declining revenues due to reduced timber harvests. Difficulties counties face in serving their own citizens are compounded by increased settlement adjacent to wildlands and by their obligation to provide further services such as search and rescue and to assist with fire prevention on public lands within the county boundaries. Secure payments under P.L. 106-393 have been an essential source of revenue allowing counties to meet these obligations. Those counties that chose to continue to receive receipt payments, mostly Midwestern counties, did so because revenues were based on resources other than timber (e.g., minerals), or they were confident that harvest levels and revenues would continue to exceed the historic three-year high average on which P.L. 106-393 payments are based.

*In the aggregate, counties nationwide have allocated half of all available P.L. 106-393 funds to Title II and half to Title III. There has been a slight increase in Title II allocations since the first year of the program.*

Counties participating in BLM- and Forest Service-administered RACs allocated more to Title III during the first year of the act's implementation, during which RACS were either not yet functional or just getting started. Since then, counties have allocated slightly more to Title II, resulting in the aggregate four-year 50-50 split of dollars between Titles II and III. In the case studies, which focused on counties participating in RACs, the balance of funding allocations was, inevitably, more in favor of allocations to Title II, with a small but noticeable further shift of funds between 2002 and the present towards Title II. This finding suggests that as counties become familiar with the process of public consultation and dialogue that characterizes the RACs, there is greater interest in fostering it with the allocation of further funds.

*The legislation has played out differently across the country.*

Varying experiences with collaboration and differences in intensity and duration of natural resource conflicts influence counties' willingness to consider supporting Title II. Mississippi and Pennsylvania have either not experienced a long period of environmental conflict or are at an early stage of confrontation—which is not to say they lack intensity or emotion—in which protagonists are focused on staking out and defending their positions, not on identifying the grounds of potential agreement. In some areas, local coalitions are forming out of concerns that timber corporations are selling off large landholdings to developers to build vacation homes and other amenity-based developments. In other areas, some interest groups

view P.L. 106-393 as a stopgap measure, providing a stable source of revenue until the timber industry can get back to work as it was 20 years ago.

## ***Title II***

### ***Collaboration and RAC Functioning***

*The most dramatic achievement of P.L. 106-393 is the impressive collaboration developed among RAC members while approving a total of \$154.4 million dollars nationally to fund a wide range of projects benefiting public lands and forest dependent-communities.*

As the first legislation to require multi-stakeholder collaboration to fund resource management projects, few would have predicted the degree of success RACs have enjoyed in fostering successful collaboration among the different interest groups concerned with the future of public forestlands. Initially, there was trepidation among environmentalists, timber industry, and other interest group representatives simply about sitting in the same room together after years of conflict amounting almost to open warfare. RAC members were highly skeptical that the process would work. Many did not believe that the time together would be productive, much less that they would be able to find common ground. But across almost all the cases, RAC members and agency officials agreed that not only were members of different interest groups working together to support worthwhile projects, but that in doing so they learned something from one another and have dramatically improved collaborative action. By the close of the period of field study for this review, no RAC project had been appealed or challenged, further confirming the success of Title II. As noted above, this success is highlighted by steady, voluntary increases in county allocations to Title II between 2002 and 2005 of 4% for national forest counties, and of 5% allocated to Bureau of Land Management RACs in Oregon. In the case studies, 61% of the counties had dedicated over 55% percent of available funds to Title II. One-third of these counties increased their Title II allocation by more than five percent between 2002 and 2004. Another striking indicator of the success of RACs came from the many RAC members who reported that relationships among representatives of different interests serving on a RAC are being carried into other collaborative endeavors.

*A key ingredient of success is that RACs have money for projects and on-the-ground work.*

RAC members know that unless they can come to an agreement, no projects will be funded. This has proven to be a powerful motivator to work together. But the work of a RAC goes beyond votes on supporting projects. Presentations and discussions within the RAC have led to mutual learning and support for projects that probably would not have been approved without the arena the RAC offered for these conversations. Members of many RACs reported an increasing openness among representatives from the different interest groups to consider projects that would previously have been anathema to them. The Fremont-Winema RAC unanimously approved an old growth thinning project. Commenting on another fuels thinning project, one environmentalist said that had someone in the past mentioned she would support a project of this kind, which would previously have generated an instant legal challenge, she would have dismissed them as “crazy.”

*Good RAC leadership is essential for RAC success.*

RAC leadership comes from a variety of sources: the RAC chair, the designated federal official, or project coordinator, and, in the most effective RACs, a combination of all three. Two of the RACs in the case studies employed professional facilitators to help coordinate the group and run meetings, but the others relied on an elected chair to coordinate meetings. Study findings suggest this leader should be neither too strong nor too weak. The former may lead to a single agenda being advanced that is not shared by all or even most of the members of a RAC. A weak leader may result in the agency playing too dominant a role. Case studies included examples of both kinds of leaders resulting in less collaborative RACs. One RAC led by an overbearing and powerful chair displayed a minimal degree of collaboration. The RAC advanced county interests over a collective RAC interest because the dynamics and management of the RAC prevented members from forging a common vision. The majority of the RACs examined, however, displayed facilitative leadership in which chairs and agency officials interacted smoothly and amicably, with the support of the large majority if not of the full group. RACs in which the chair rotated regularly appeared to be more successful in avoiding overly dominant leadership.

*Field trips are an effective tool to build collaboration.*

Field trips have advanced RAC collaboration because they allow members to discuss landscape conditions and issues, and the role projects play in improving forest health. Field visits can be a great leveler: RAC members are more likely to talk about issues rather than to stake out philosophical or ideological positions. “Kicking the dirt together” has led to numerous conversations about ecological needs and social issues, which have spawned fruitful discussions leading to agreement about project needs and selection. Field trips have also proven useful as an informal and important way for RACs and the agencies to monitor projects.

*Collaboration is fertile ground for more collaboration.*

Previous experience with collaborative approaches in local government and in management in natural resources has helped RACs to become operational sooner. In the West, the history of community involvement with the federal agencies through a variety of collaborative activities and groups has helped make the idea of collaboration in a RAC easier to embrace. For example, in the Northern Panhandle of Idaho, years of working together as a five-county region not only helped the RAC get started, but also helped its members avoid the temptation to negotiate to receive project support equivalent to their Title II allocations—as many RACs did—and to focus more on the quality of and regional need for individual projects. The Southwest Mississippi RAC, whose members lacked a history of resource-based collaboration, is proving more successful in those counties that have had successes in overcoming a historic legacy of racial conflict. These RAC members are still learning about how best to use RAC funds, but they already view their work as positive and offering unique future possibilities.

*There remain some areas in which historic distrust of the agencies, distrust among interest groups, or distrust among the counties themselves constrain RAC operation, or prevent RACs from getting established altogether.*

While we did not set out to evaluate why some RACs got started and others did not, it nonetheless became clear that single-interest and obstructive influence by interest groups or county officials have prevented some RACs from getting off the ground and, in some cases, contributed to dysfunctional RACs. Disproportionate influence of certain interest groups on a RAC undermines RAC functioning. These conflicts appear to be few, but where they exist they are intense and require an active and equally intense effort to overcome them.

*New and improved relationships among RAC members, the interest groups they represent, and the federal land management agencies have characterized RAC operations.*

The RAC process has led to a new and qualitatively different kind of interaction between the public and the agencies. A number of RAC members noted that their involvement has given them a greater appreciation for agency constraints, processes, and requirements for engagement with the public. In a similar vein, agency representatives spoke of their enhanced and more nuanced understanding of interest group perspectives. In many cases Forest Service and Bureau of Land Management personnel had become more responsive to public concerns as a result of interactions with the RAC. Agency representatives are learning new ways of doing business.

### ***RAC Learning***

*Many RACs proved to be potent learning laboratories.*

In addition to being powerful focal points for collaboration, the RAC forum stimulated learning. RAC interest group members and many agency officials spoke repeatedly about learning from each other and *with* each other through discussions and field trips. Many RAC members and agency officials broadened their perspectives and understanding of resource issues and challenges. Collaboration is itself potent, as diverse perspectives are brought together in RACs, but learning together generated new individual and collective understanding, that, in turn, stimulated new ideas.

1. RACs represent a new model for establishing public-agency consultative arrangements. Within limits, these consultative arrangements can be used for activities that go beyond P.L. 106-393 in the future.

*Appreciation for agency constraints, processes, and possibilities for public engagement, along with understanding of RAC work has not, for the most part, extended to the general public.*

In most of the case studies, there remained a disappointing lack of knowledge among the general public about the RAC and RAC projects. Despite the good projects being supported and the outstanding collaborative relationships established among RAC members and between RAC members and the agency, the wider population does not know about RACs. Project and collaborative learning was primarily confined to members of the RAC, with one effect being a reduced number of non-agency and non-county applications for RAC funding.

2. RACs themselves, the agencies, and possibly third parties should do more outreach and education to inform others about the work and lessons of RACs.

### ***RAC Membership***

*Some RACs lack the wide diversity of participation called for in the legislation; for the most part, interest group representation is sound, although some categories are filled with inappropriate representatives.*

*Despite their historic and continuing relationship to natural resources, including those on federal land, Native American groups are under-represented or not represented on some RACs and do not receive project support to the degree that might be expected.*

Filling the Native American position on RACs proved difficult for a number of RACs. Reasons varied. In some cases tribes had little experience with collaborative groups, and, federally recognized tribes may view collaboration with a RAC as inappropriate given the unique relationship they have with the U.S. government. Demands on tribes and tribal governments are often considerable with leaders being asked to serve in multiple public service capacities. Participation in a process with uncertain outcomes may not be a high priority. Because of the special relationship tribes have with the federal government and because of cultural differences regarding appropriate invitation and committee participation, sending a letter or a general call for applications are often inadequate channels of communication. In areas with multiple tribes, obtaining representation is further challenged by the fact that a tribal member may not legitimately speak for more than one tribe. One solution to this is to recognize that participation by tribal members should not be limited to one reserved position on the RAC. Tribal members will often be well qualified to serve in other positions such as an environmental or industry group representative or as a public official and should be invited to do so. Tribes have participated effectively on some RACs, but more consistent attention by the agencies and by RAC members alike are needed to engage more tribal members in making the RACs genuinely representative of all interest groups concerned with the health of the forests and surrounding communities.

*Some interest group designations like “wild horse and burro” do not fit the diversity of environments, regional economies, or sociodemographic conditions found in all regions of the country. Other categories, like “organized labor” have proven difficult to fill.*

The wild horse and burro position reflects an idealized west and is relevant only in certain regions that are home to wild horses and burros or with active horse riding groups; it has proven to be the most difficult category to fill in the RACs examined in this study. The labor category has also proven difficult to fill in part because of the general decline in organized labor and in part because of the decline in the number of timber industry jobs, a sector that at one time historically constituted the highest number of unionized workers in forest dependent rural areas. Where other labor organizations exist they should be considered appropriate surrogates when traditional organized labor representatives are unavailable. In the absence of these traditional labor unions, service workers, who are increasing given the transition to economies based more



on amenity values, or the growing numbers of harvesters of non-timber forest products, should be considered—even if they are not unionized. Numbers in these groups are rapidly increasing and they remain under-represented in forest management discussions. Similarly, where there are interests that are inactive or absent in an area, other more appropriate groups should be considered.

3. RAC interest categories should be changed as follows to reflect changing demographics and to enable them to respond more effectively to issues facing forest communities across the country:
- A. (i) represent organized labor, **another labor organization, or non-timber forest product harvester groups,**
  - (iii) represent energy and mineral development, **or commercial and recreational fishing, interests**
  - (v) hold federal grazing permits, or other land use permits within the area for which the committee is organized, **or represent non-industrial private forest land owners.**
  - B. (v) nationally or regionally recognized wild horse and burro interest groups, **wildlife organization, or watershed association.**

*The role of “replacements” is misunderstood by some RAC members and agency officials.*

Many RAC members and officials spoke of replacement and alternate members interchangeably. This confused the role of the replacement member, suggesting to some that the “replacement” could serve as an alternate, filling in whenever a RAC member is absent. The legislation is silent about replacements and alternates, but replacement members are administratively accepted and have been appointed to step into a position within their subgroup when one of five positions is vacated. This is to assure continuity in RAC functioning. This process, however, can lead to inappropriate filling of interest positions since there is no way to ensure that the replacement fits the interest position that is vacated. Interest group representation will be compromised when a replacement member does not fit a vacated position. Some replacements have been allowed to participate in aspects of the project recommendation process. Most, however, have not and this has proven to be a source of frustration for them, acting as a disincentive to devote the time and energy that are asked of RAC members. RAC members have also expressed their frustration with the present situation, especially when a sub-group does not have a quorum in a meeting and is therefore not allowed to make a decision. Enfranchisement of replacements is an issue that warrants further exploration and discussion.

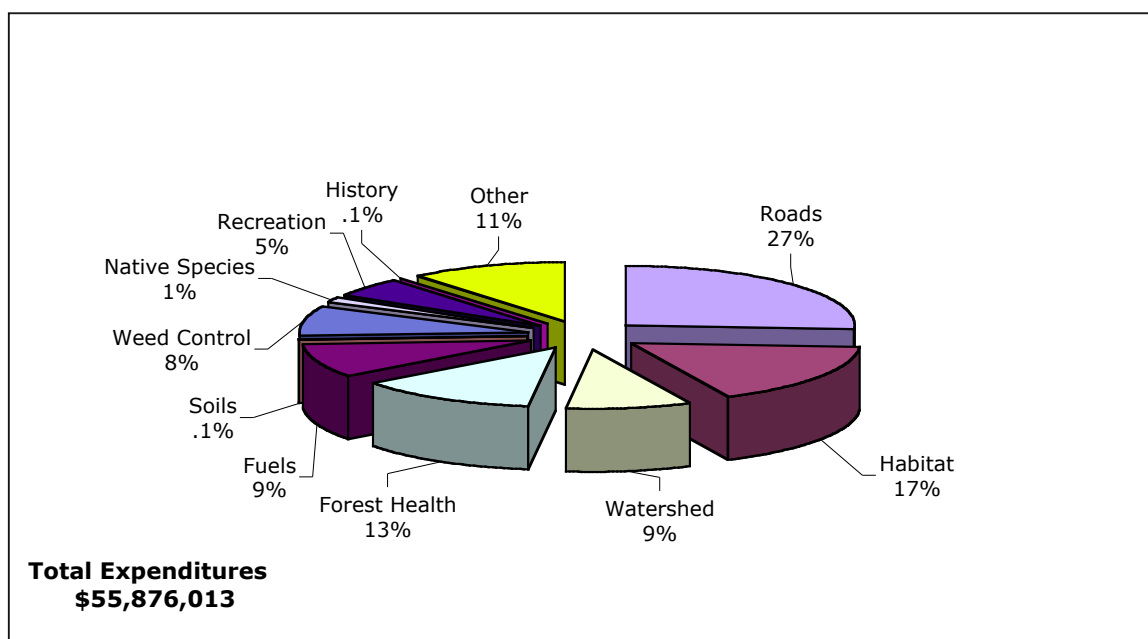
4. A. Eliminate replacement members associated with a single category since there is no way to assure that one individual can fill a vacated interest position.
- B. If retained, replacements should not replace a RAC member unless the individual can genuinely represent the interests of a vacated category.  
(Replacement members should receive the same level of scrutiny by the Secretary that a new appointment receives.)

### ***RAC Projects***

The largest category of spending for the 15 case study RACs examined is roads, representing just over \$14.6 million or 26.2% of total RAC expenditures (see Figure 1). This category includes a variety of roads and road-related projects such as grading and surfacing, as well as culvert replacements to solve problems associated with impending culvert failures. Six RACs allocated between \$1 million and \$2 million for projects in this category. The second largest category of RAC expenditures is for projects that restore, maintain, or improve wildlife and fish habitat. This category represents \$9.4 million or nearly 17% of total RAC expenditures.

A total of \$4.9 million was allocated for watershed restoration and maintenance-related projects such as upslope stabilization efforts, downslope sediment reduction projects, and estuary-related projects, such as fish-friendly tidegates.

**Figure 1. Percentage of Title II Expenditures by Category for 15 Case Study RACs**



*Based on the case studies, the requirement that 50% of all Title II projects be used to fund road maintenance/obliteration or watershed improvement/restoration appears to be met nationally.*

The combined allocations among the case study RACs for roads, habitat improvement, and watersheds come close to 52% of the total amount allocated, meeting the legislative requirement under Section 204(f) that 50% of RAC dollars support projects “primarily dedicated to road maintenance, decommissioning or obliteration, or to restoration of streams and watersheds.” It is important to point out that RAC projects may be included in more than one category, making classification difficult. For example, most “habitat” projects could also be categorized as watershed improvement projects.

Forest health-related projects constitute the third largest RAC expenditure category, with 95% of forest health expenditures concentrated in three Oregon RACs. A total of \$7,188,491 or 13% of total Title II expenditures for the 15 case study RACs, was allocated in this project

category. Most forest health projects involve pre-commercial thinning. Few RACs have supported forest health projects that involve extraction of merchantable timber. Fuels reduction projects, totaling \$5,149,377, represent the fourth highest expenditure total at 9% of total expenditures. Like forest health projects, funding for this category is skewed—only 7 of the 15 RACs recommended fuels reduction projects. Noxious weeds were the fifth highest funded category, receiving nearly \$4.5 million or 8% of the total. All RACs allocated some money to noxious weed projects; the highest allocated 26% of its total funds. Recreation-related projects make up the last category receiving significant funding. Slightly more than \$3 million dollars totaling 5% percent of all funding were allocated to recreation projects, which involved trails, campground, and other recreation-oriented infrastructure work. The “other” category received 11% of all allocations, totaling a little over \$6 million, and included a diversity of projects such as forest interpretation and education programs, support for Fire Safe Councils, management plan development, and enhancing agency GIS capabilities.

*Given the budget shortfalls the agencies are experiencing, RAC dollars have enabled the Forest Service and the Bureau of Land Management to implement projects that would otherwise not be done.*

There are hundreds of examples of RAC funds being used to complete projects that the agencies need to do and that the public wants to be done. RAC money represents a new and important source of money for the agencies to do work that is needed. Some agency personnel are extremely effective—some might say aggressive—in drafting proposals for RAC consideration. The significant difference with RAC funded projects is that the public in the form of the RAC is participating directly in making recommendations about project selection and spending. While agency personnel are enthusiastic about the opportunity Title II money represents, many have raised the question—and some have expressed frustration—about RAC funds being used for work the agencies ought to be doing anyway. Use of Title II funds to address basic infrastructure and related needs may reduce the availability of funding for experimental or novel projects.

### ***Unfunded Mandates***

*RAC supported projects are creating new unfunded mandates for the agencies.*

While RAC funding has proven to be a shot in the arm for infrastructure maintenance and improvement of federal forestlands, numerous RAC projects are creating future budgetary obligations for the agencies. For example, the installation of portable or permanent toilets or construction of a trail or campground facilities create agency obligations to maintain these facilities. Similarly, fuels reduction projects require follow-up treatment of fast growing forbs and shrubs to prevent them from over-running a site and creating new fire hazards. These and other RAC-funded projects represent unfunded mandates that agencies cannot ignore. Meeting these obligations will require future allocations of staff time and financial resources. While it is true that these tasks are the responsibility of the agencies, there nonetheless needs to be the recognition of the need to meet future obligations with increasingly constrained budgets.

5. Agencies need to be clear with the RAC and the public about the impact on their staff workload and limited budgets of RAC-funded projects that increase agency obligations. A deliberate conversation needs to start sooner as opposed to later with the RAC and others regarding how these additional obligations will be addressed.

### ***The Cost of Collaboration: RAC Administrative Fees***

*Agency administrative fee charges for RAC support and project administration are confusing, shifting, and inconsistent.*

There are almost as many different formulas for determining RAC administrative support costs as there are RACs. In the first years of the program, the agencies did not charge, or charged very little, for providing administrative support. As RACs became operational, the agencies faced increased coordination pressures, managing project contracts, and, for some, paying for RAC member travel. Coupled with declining budgets, the agencies found themselves obliged to charge administrative fees. Charging administrative fees frustrated some RAC members and local government officials alike who felt that the agencies were using RAC money that should go to projects. Much of the frustration, however, resulted from the agencies initiating charges a year or two into the program and applying them inconsistently across forests. The rates individual forests and BLM districts charge lack consistency across RACs, and even vary from one year to the next within a single RAC.

6. Agencies should establish clear and simple guidelines for charging RACs for administrative expenses. Greater consistency will improve understanding and reduce RAC member and project manager frustration.

The Forest Service in some areas has had difficulties paying project contractors in a timely manner. Some of this is due to forest-level inefficiencies and idiosyncratic differences between contracting officers, or issues associated with regional coordination. There are examples of agency officers unwilling to sign off on projects because of a concern about some aspect of a project and the personal responsibility contractors themselves incur as contracting officers. The Forest Service's recent shift to a central contracting and reimbursement facility in Albuquerque, New Mexico has contributed to delays in paying project contractors. Some delays have extended for many months. Whether delays are the result of forest or district level problems, or whether they are due to more centralized, bureaucratic issues is irrelevant when it affects small contractors who face cash flow shortages for extended periods of time and struggle to pay workers. These delays have slowed some projects and threatened others. From a programmatic standpoint, delayed contracts and payments erode the goodwill and relations that have been established or re-built through the RACs. They also compromise the ability of the secure payments program to generate employment opportunities through contracts with local businesses.

*Some counties and agency offices have established overly dominant roles for themselves with project proposals, funding, or RAC direction.*

Some RACs have allocated their funds almost entirely to projects presented by federal agencies with little or no support for projects proposed by others. It is not uncommon for some RACs to receive 50 to 75% of their project proposals from the Forest Service. (In general, the BLM receives proportionately less project funding from RACs under its jurisdiction.) In some RACs the Forest Service appears to occupy a privileged position having, for example, the opportunity to present agency projects before other entities. RAC members recognized that the vast majority of the projects the agencies brought to the RAC were good and needed. Nevertheless, a number of members felt that the RAC would be better served by soliciting proposals from a wider set of local organizations.

7. Agencies and RACs need to solicit more proposals from local businesses, non-governmental organizations, and local government, especially in areas where RACs are predominantly funding agency projects.

A common challenge of multi-county RACs is the demand by some county officials that each county should receive project dollars commensurate with their RAC contribution. This has sometimes led to project approval processes that respond primarily to county priorities, with county officials threatening to reduce or terminate allocations of funds to Title II when they are dissatisfied with the distribution of projects between counties. This form of control over RAC decisions is relatively uncommon, but where it occurs it is both disturbing and destabilizing.

*RAC-funded projects have leveraged millions of additional dollars, many partnerships, and thousands of hours of volunteer hours.*

A number of projects have been implemented that demonstrate the power of multi-jurisdictional and public-private partnerships. All of the RACs funded some projects that leveraged additional resources, partnerships, and volunteer work. Some of the largest projects were the most leveraged, including funds from other federal programs. Project record keeping was insufficient to determine the total number of dollars and volunteer hours, but it was impressive by any measure. It has widened the circle of collaboration and built new partnerships that are likely to work more together in the future.

### ***Title III***

*Title III funds have proved to be most valuable to counties in covering services they are expected to provide to their citizens and the general public: search and rescue on public lands, and fire prevention and county planning.*

The highest funded category of all Title III expenditures in the case studies is “search and rescue and emergency services,” totaling 34.1%. “Fire prevention and county planning” at 24.1% and “forest-related education” at 22% were the next highest funded categories. The top three categories in California were the same, but totals differed somewhat: “county planning and fire prevention” and “search and rescue and emergency services” were the top two funded categories receiving, respectively, 30.6% and 30.4%. The number of distinct allocations to the category “county planning and fire prevention,” was by far the highest, with a total of 143 total projects or separate allocations, compared to 83 for “search and rescue and emergency services.” The

category “forest related education and fire prevention” was third, comprising 20.5% of all Title III funding in California during this period.

*Title III funds have been used successfully to develop community wildfire protection plans and other capacity building work that has led to effective leveraging of Title II and National Fire Plan funds, and other resources.*

The most successful Title III programs have also used their own funds to leverage Title II dollars and other funded programs. Considerable sums of Title III funds have been used for planning and for building the capacity of communities to engage in fuels reduction and forest thinning, qualifying them for National Fire Plan funds and other funding. This kind of leveraging has been an extremely effective tool for developing fire plans in the wildland-urban interface and in completing fuels thinning projects. Title III projects that build local capacity and leverage funds are even more important in light of declining National Fire Plan funding, the loss of Economic Action Programs of the Forest Service, and other funding shortfalls. Title III funds have also been used to implement a multitude of educational projects. County support for these programs has allowed local people and others to learn about forest communities, and the role and importance of stewardship of a working landscape.

*Up to half the study counties did not disburse funds through open and competitive processes of project solicitation and approval.*

A total of 46 percent of all California Title III funds distributed during the first three years of the program were allocated through administrative processes, not through competitive grant processes. Half the case study counties distributed their Title III funds by administrative allocation during the first four years of the program. This had the effect of restricting the diversity of groups and projects receiving Title III project support. While counties adhered to the 45-day comment period required by the legislation, allocating funds through internal county budget mechanisms is, at best, questionable as to whether it is within the spirit and intent of the legislation.

8. The meaning of “project” in Title III needs to be made consistent with Title II. More open, competitive, and transparent processes for project solicitation, review, and approval by the counties are needed. This will lead to more diverse groups applying, and more educational and innovative projects.

*The vast majority of Title III funds have been used for authorized purposes, but some clearly did not meet the spirit and intent of the act.*

On the whole, the majority of Title III funds appear to have been used for authorized purposes, although some were not. Unacceptable allocations included payment for county officials’ salaries and for reimbursement of PILT funds lost as a result of Title III payments. Researchers did not attempt to judge the legality of allocations or project expenditures, but some projects appeared clearly to violate the spirit and intent of the act. Administrative allocations and lack of oversight contributed to funds being allocated in ways that did not fit approved categories. Many officials questioned “search and rescue” allocations for equipment purchases in

cases in which counties did not prorate equipment to the percentage it would be used on public land.

*The lack of oversight and an authoritative source for information about Title III hampered county officials and contributed to irregular proposal processes and allocations.*

There was no agency or entity designated to provide Title III oversight or offer consultation for Title III. As a result, county officials had no one to call if they had questions or needed an interpretation about a project's fit with the legislation. Bureau of Land Management and the Forest Service officials informally provided information, but this exceeded their responsibilities and many officials were clearly uncomfortable in this role. Some state-level associations of counties provided information, but it was not always consistent from one state to another and sometimes questionable with respect to how well recommendations fit with the spirit and intent of the act. This was complicated by the fact that Title III was not as clearly written as Title II, thereby leaving more questions. As a result, counties have not always been clear about whether projects conform to Title III, causing frustration and confusion. Counties need a source of authoritative information to assist them in deciding whether proposed projects meet the terms of the act. A clearing house or central information source that circulates information, provides training, and offers ideas about innovative and successful projects would improve the quality of projects and consistency of Title III implementation nationwide.

9. A single organization or entity should be given responsibility for ensuring accurate and timely reporting of Title III projects. This entity could also provide training for counties to improve project development, selection, and implementation.

Title III lacks a coherent system of project recording and monitoring. Researchers found it exceedingly difficult to locate reliable data on how Title III money was spent, what projects were funded, and on project success. Like Title II, there was no effectiveness monitoring, and in a few cases there were only informal records of Title III use. Some counties never did provide full information on Title III expenditures despite repeated requests over many months. Monitoring of Title III should, at minimum, document project type, cost, applicant, funds leveraged, and time frame.

10. There should be accurate and coherent monitoring of Title III projects. Failure to monitor Title III increases the likelihood that funds will be used in ways inconsistent with the spirit and intent of the legislation, and reduces opportunities for learning and collaboration.

### ***Institutional Issues***

*The legislation has untapped potential to improve interaction between the Bureau of Land Management and the Forest Service regarding adjacent ownership, watershed, and landscape management issues.*

P.L. 106-393 did not suggest that the two agencies should work more effectively together but it did speak strongly to increased collaboration. This could, for example, include increased collaboration between the two land management agencies in Oregon where they manage adjacent

land. The two agencies could set an example by planning and implementing landscape-level or watershed projects without regard to land ownership. RACs have, in fact, supported projects on private land that contribute to the improvement of federal land. RAC projects and agency and inter-agency work could be better blended to more effectively address watershed and landscape issues.

### ***Employment***

*Across almost all of the cases, RACs and Title III projects have supported youth employment projects.*

Millions of dollars have been invested in Youth Conservation Corps (YCC) or similar employment programs, as well as programs for at-risk youth. Almost all RACs examined supported one or more youth employment projects. RACs in general are quite pleased with experiences projects have offered youth, the benefits youth have gained from working on the land, as well as the landscape improvements. These programs have improved trails, reduced fire risks, and removed noxious weeds, among their many accomplishments. They are also developing the human capital needed for continued management of forests and watersheds as participants move into resource-related jobs or educational programs.

*Job creation, beyond youth employment, has been indirect and piecemeal. Most projects offer only part-time or short-term work.*

In a few cases the RACs or the agencies have attempted to provide projects that bridge seasons and slow-work periods in order to offer year-round work. While a number of RAC members expressed interest in generating employment, they quickly learned how difficult this is and how limited a project-by-project approach to this issue is. Some RACs, like the Siskiyou County RAC in California, have actively discussed funding large projects. They recognize that tradeoffs involve reduced funding for other worthwhile and needed smaller projects, and are accompanied by the risk that large projects provide no guarantee of providing long-term, family wage employment. Lack of good monitoring has kept RACs from analyzing this issue in depth and building a knowledge base of successful approaches to employment generation.

### **Monitoring**

*Monitoring of both Title II and Title III has been inadequate and needs to be improved.*

A few RACs and counties took it upon themselves to monitor funded projects, but even the best of them focused primarily on general project reporting and implementation monitoring, not on outcome-based or project effectiveness monitoring. To be fair, given the relatively short duration of the legislation, effectiveness monitoring is difficult if not impossible with many projects. The legislation also did not specify the entity responsible for monitoring. Title III data have been particularly difficult to secure. Counties need to provide a specified amount of project information. More clarity about monitoring may be accomplished through subsequent legislation or through rulemaking, which offers more flexibility, but it needs to be done. This comment echoes a call made by the Forest County Payments Committee in its 2003 report. Good



monitoring builds in accountability, contributes to program learning and project development, and improves resource management.

## **The Future**

*Findings from this study strongly support continuing P.L. 106-393.*

Given the successful collaboration, learning, and on-the-ground project accomplishments, this legislation has exceeded expectations and accomplished more than most thought possible. The work that counties and RACs have accomplished during the first five years of the legislation has laid the groundwork for continued and improved future collaboration and learning. This work has also accomplished valuable projects that are restoring health to working, forested landscapes. This legislation should be viewed as a work in progress that has significantly reduced gridlock characterizing resource management for the past two decades. Re-authorization should consider building on RAC collaboration and developing projects that will help identify and develop a new “ecosystem products and services” approach that will enable continued payments to forest counties on a par with P.L. 106-393 and beyond the lifetime of re-authorization.

11. Should the legislation be extended by five or six years—and we believe it should—where the combined total of Title II and Title III funding exceeds \$200,000 yearly in a RAC area, there should be a requirement that 3-5% of these funds be dedicated to experimental projects examining how forest products and ecosystem services can provide a future stream of revenues to replace the current P.L. 106-393 funding mechanism.

While it is widely recognized that fuels and forest management must continue and even be expanded, and products can be produced that will provide revenue, counties should not expect that harvests and timber revenues will return to levels of the 1980s. Similarly, counties should not expect funding from the federal government through a program like P.L. 106-393 to continue in perpetuity. Other revenue streams need to be developed. Re-authorization of the legislation should be utilized as a “bridge” to a program that combines revenues from resource products and environmental services to replace federal payments now supporting Titles I, II, and III. RACs should be engaged in the discussion of how future payments might be based on these services and receipts for both timber and non-timber forest products. Any self-sustaining continuation or successor to the Title I, II, and III programs will have to be built on the foundation of these payments.

The very effectiveness of P.L. 106-393 compels taking advantage of any period of re-authorization as a time to engage in projects, reflection, and consultation to ensure the viability of this valuable program and the long-term prosperity of rural communities.

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APPENDIX I

Allocations Between Title II and Title III for All Counties and Alaskan Cities in 16 Case Studies (2002 - 2005)

Sources:

- 1) United States Forest Service, Payments to States web site: [http://www.notes.fs.fed.us/81/r4d/payments\\_to\\_states.nsf](http://www.notes.fs.fed.us/81/r4d/payments_to_states.nsf)
- 2) United States Department of the Interior, Bureau of Land Management (BLM)

	State & RAC (or forest)	Counties and cities	Total Title II & Title III (2002)	Total Title II (2002)	% Title II (2002)	Total Title III (2002)	% Title III (2002)	Total Title I and Title II (2003)	Total Title II (2003)	% Title II (2003)	Total Title III (2003)	% Title III (2003)	Total Title II & Title III (2004)	Total Title II (2004)	% Title II (2004)	Total Title III (2004)	% Title III (2004)	Total Title II & Title III (2005)	Total Title II (2005)	% Title II (2005)	Total Title III (2005)	% Title III (2005)
1	Alaska (Wrangell - Petersburg)																					
		Petersburg	\$163,570	\$163,570	100	\$0	0	\$159,658	\$159,658	100	\$0	0	\$155,932	\$155,932	100	\$0	0	\$163,556	\$163,556	100	\$0	0
		Wrangell	\$114,695	\$114,695	100	\$0	0	\$111,077	\$111,077	100	\$0	0	\$106,375	\$106,375	100	\$0	0	\$96,568	\$96,568	100	\$0	0
2	Arizona (Eastern Arizona)																					
		Apache	\$64,822	\$64,822	100	\$0	0	\$65,340	\$65,340	100	\$0	0	\$66,124	\$66,125	100	\$0	0	\$66,984	\$66,984	100	\$0	0
		Gila	\$54,504	\$54,504	100	\$0	0	\$54,941	\$54,941	100	\$0	0	\$55,600	\$55,600	100	\$0	0	\$56,322	\$56,322	100	\$0	0
		Greenlee	\$92,993	\$92,993	100	\$0	0	\$93,737	\$93,737	100	\$0	0	\$94,862	\$94,862	100	\$0	0	\$96,095	\$96,095	100	\$0	0
		Navajo	\$106,760	\$106,760	100	\$0	0	\$107,614	\$107,614	100	\$0	0	\$108,906	\$108,906	100	\$0	0	\$110,321	\$110,321	100	\$0	0
		Graham county - no Title II or Title III (< \$100,000 total payments)																				
3	California (del Norte)	del Norte	\$430,413	\$258,248	60	\$172,165	40	\$433,857	\$260,314	60	\$173,543	40	\$439,063	\$307,344	70	\$131,719	30	\$444,771	\$266,863	60	\$177,908	40
4	California (Siskiyou)	Siskiyou	\$1,345,729	\$336,432	25	\$1,009,297	75	\$1,356,496	\$678,248	50	\$678,248	50	\$1,372,774	\$686,387	50	\$686,387	50	\$1,390,620	\$695,310	50	\$695,310	50
5	California (Tuolumne)	Tuolumne	\$372,095	\$279,071	75	\$93,024	25	\$375,072	\$281,304	75	\$93,768	25	\$379,573	\$243,939	64	\$135,634	36	\$384,507	\$223,014	58	\$161,493	42
6	Idaho (Idaho Panhandle)																					
		Benewah	\$17,308	\$8,654	50	\$8,654	50	\$17,446	\$8,723	50	\$8,723	50	\$17,654	\$8,827	50	\$8,827	50	\$17,884	\$8,942	50	\$8,942	50
		Bonner	\$208,521	\$139,014	67	\$69,507	33	\$210,189	\$140,126	67	\$70,063	33	\$212,711	\$121,711	100	\$0	0	\$215,477	\$215,477	100	\$0	0
		Boundary	\$118,308	\$104,154	88	\$14,154	12	\$209,975	\$178,479	85	\$31,496	15	\$212,494	\$180,620	85	\$31,874	15	\$215,257	\$182,968	85	\$32,289	15
		Kootenai	\$151,752	\$30,350	20	\$121,402	80	\$152,966	\$152,966	100	\$0	0	\$154,802	\$154,802	100	\$0	0	\$156,815	\$156,815	100	\$0	0
		Shoshone	\$611,964	\$489,571	80	\$122,393	20	\$616,859	\$616,859	100	\$0	0	\$624,261	\$624,261	100	\$0	0	\$632,377	\$632,377	100	\$0	0
7	Idaho (SW Idaho)																					
		Adams	\$112,079	\$100,871	90	\$11,208	10	\$112,975	\$112,975	100	\$0	0	\$114,331	\$114,331	100	\$0	0	\$115,817	\$115,817	100	\$0	0
		Boise	\$205,847	\$154,385	75	\$51,462	25	\$207,494	\$207,494	100	\$0	0	\$209,984	\$178,486	85	\$31,498	15	\$212,713	\$180,806	85	\$31,907	15
		Elmore	\$155,491	\$116,618	75	\$38,873	25	\$156,734	\$78,367	50	\$78,367	50	\$158,616	\$79,308	50	\$79,308	50	\$160,677	\$107,118	67	\$53,559	33
		Idaho	\$739,070	\$665,163	90	\$73,907	10	\$744,982	\$670,484	90	\$74,498	10	\$753,922	\$678,530	90	\$75,392	10	\$687,350	\$687,350	100	\$0	0
		Valley	\$451,291	\$406,162	90	\$45,129	10	\$454,902	\$409,412	90	\$45,490	10	\$460,360	\$414,324	90	\$46,036	10	\$466,346	\$419,711	90	\$46,635	10
		Washington	\$36,265	\$36,265	100	\$0	0	\$36,556	\$36,556	100	\$0	0	\$27,746	\$18,497	67	\$9,249	33	\$28,107	\$18,738	67	\$9,369	33
		Canyon - no PL 106-393 funds																				
		Owyhee - no PL 106-393 funds																				
		Payette - no PL 106-393 funds																				
8	Mississippi (SW Mississippi)																					
		Adams	\$27,959	\$0	0	\$217,959	100	\$27,355	\$0	0	\$27,355	100	\$27,684	\$0	0	\$27,684	100	\$28,044	\$0	0	\$28,044	100
		Amite	\$69,882	\$62,894	90	\$6,988	10	\$68,358	\$58,104	85	\$10,254	15	\$69,178	\$58,801	85	\$10,377	15	\$70,078	\$59,566	85	\$10,512	15
		Franklin	\$186,139	\$0	0	\$186,139	100	\$182,083	\$182,083	100	\$0	0	\$184,268	\$184,268	100	\$0	0	\$186,664	\$186,664	100	\$0	0
		Jefferson	\$15,453	\$0	0	\$15,453	100	\$15,148	\$0	0	\$15,148	100	\$15,330	\$0	0	\$15,330	100	\$15,529	\$0	0	\$15,529	100
		Lincoln	\$15,484	\$0	0	\$15,484	100	\$15,148	\$0	0	\$15,148	100	\$15,330	\$0	0	\$15,330	100	\$15,529	\$0	0	\$15,529	100
		Wilkinson	\$43,746	\$0	0	\$43,746	100	\$42,902	\$0	0	\$42,902	100	\$43,416	\$0	0	\$43,416	100	\$43,981	\$0	0	\$43,981	100
		Copiah, P.L. 1-6-393 receipts < \$100,000. All funds in Title I)																				
		Pike - no PL 106-393 funds																				
9	Montana (Lincoln County)	Lincoln County	\$848,808	\$0	0	\$848,808	100	\$855,599	\$607,475	71	\$248,124	29	\$865,866	\$612,456	71	\$253,410	29	\$877,122	\$775,376	88	\$101,746	12

	State & RAC (or forest)	Counties and cities	Total Title II & Title III (2002)	Total Title II (2002)	% Title II (2002)	Total Title III (2002)	% Title III (2002)	Total Title I and Title II (2003)	Total Title II (2003)	% Title II (2003)	Total Title III (2003)	% Title III (2003)	Total Title II & Title III (2004)	Total Title II (2004)	% Title II (2004)	Total Title III (2004)	% Title III (2004)	Total Title II & Title III (2005)	Total Title II (2005)	% Title II (2005)	Total Title III (2005)	% Title III (2005)	
10	Oregon (Coos Bay BLM)																						
		Coos		\$1,091,410	\$949,527	87	\$141,883	13	\$1,104,507	\$303,238	27	\$801,268	73	\$1,104,566	\$242,991	22	\$861,575	78	\$1,118,865	\$246,150	22	\$872,715	78
		Curry (Title II figure includes a small allocation of funds to the Medford RAC)	\$600,070	\$168,020	28	\$432,050	72	\$607,271	\$242,908	40	\$364,362	60	\$607,271	\$309,708	51	\$297,563	49	\$615,165	\$313,734	51	\$301,431	49	
		Douglas (Title II figure includes contributions to Coos Bay, Medford, Roseburg, and Eugene Racs)	\$4,140,240	\$3,105,180	75	\$1,035,060	25	\$4,189,923	\$3,142,442	75	\$1,047,481	25	\$4,189,923	\$3,142,442	75	\$1,047,481	25	\$4,244,392	\$3,183,294	75	\$1,061,098	25	
11	Oregon (Fremont- Winnema)																						
		Klamath	\$3,222,190	\$1,611,095	50	\$1,611,095	50	\$3,247,968	\$1,623,984	50	\$1,623,984	50	\$3,286,944	\$2,629,555	80	\$657,389	20	\$3,329,675	\$2,663,740	80	\$665,935	20	
		Lake	\$798,893	\$766,937	96	\$31,956	4	\$805,283	\$773,072	96	\$32,211	4	\$814,947	\$782,349	96	\$32,598	4	\$825,541	\$718,799	87	\$106,742	13	
12	Oregon (Medford BLM)																						
		Jackson*	\$3,458,752	\$1,729,376	50	\$1,729,376	50	\$3,486,422	\$1,743,211	50	\$1,743,211	50	\$3,528,260	\$1,764,130	50	\$1,764,130	50	\$3,574,126	\$1,787,063	50	\$1,787,063	50	
		Josephine*	\$2,400,515	\$1,032,455	43	\$1,368,060	57	\$2,419,720	\$941,416	39	\$1,478,304	61	\$2,448,755	\$1,435,068	59	\$1,013,687	41	\$2,480,590	\$1,453,725	59	\$1,026,865	41	
		Klamath (BLM funds only)	\$381,650	\$190,825	50	\$190,825	50	\$384,702	\$192,351	50	\$192,351	50	\$389,319	\$311,455	80	\$77,864	20	\$394,380	\$315,504	80	\$78,876	20	
		Douglas - data shown under Coos Bay RAC																					
		Curry - data under Coos Bay RAC																					
13	Oregon (Roseburg BLM)																						
		Douglas County - data shown under Coos Bay RAC)																					
14	Pennsylvania (Allegheny)																						
		Elk	\$0	\$0	0	\$0	0	\$0	\$0	0	\$0	0	\$202,869	\$0	0	\$202,869	100	\$205,506	\$0	0	\$205,506	100	
		Forest	\$0	\$0	0	\$0	0	\$213,176	\$0	\$0	0	\$213,176	100	\$215,734	\$0	0	\$215,734	100	\$218,539	\$0	0	\$218,539	100
		McKean	\$0	\$0	0	\$0	0	\$0	\$0	0	\$0	0	\$245,603	\$0	0	\$245,603	100	\$248,796	\$0	0	\$248,796	100	
		Warren	\$0	\$0	0	\$0	0	\$0	\$0	0	\$0	0	\$266,126	\$0	0	\$266,126	100	\$269,585	\$0	0	\$269,585	100	
15	Washington (Colville)																						
		Ferry Co.	\$182,725	\$0	0	\$182,725	100	\$184,187	\$0	0	\$184,187	100	\$139,798	\$55,919	40	\$83,879	60	\$188,820	\$113,292	60	\$75,528	40	
		Pend Oreille	\$225,332	\$168,999	75	\$56,333	25	\$227,134	\$227,134	100	\$0	0	\$229,860	\$229,860	100	\$0	0	\$232,848	\$232,848	100	\$0	0	
		Stevens	\$86,106	\$60,274	70	\$25,832	30	\$86,794	\$60,756	70	\$26,038	30	\$87,835	\$87,835	100	\$0	0	\$88,977	\$88,977	100	\$0	0	
16	Washington (Olympic Peninsula)																						
		Callam	\$468,250	\$234,125	50	\$234,125	50	\$471,996	\$235,998	50	\$235,998	50	\$477,660	\$238,830	50	\$238,830	50	\$483,868	\$241,934	50	\$241,934	50	
		Grays Harbor	\$137,991	\$96,594	70	\$41,397	30	\$148,095	\$128,663	87	\$19,432	13	\$140,764	\$130,207	93	\$10,557	7	\$142,594	\$131,899	92	\$10,695	8	
		Jefferson	\$631,544	\$442,081	70	\$189,463	30	\$636,597	\$445,618	70	\$190,979	30	\$644,236	\$450,965	70	\$193,271	30	\$652,611	\$456,828	70	\$195,783	30	
		Mason	\$148,546	\$74,273	50	\$74,273	50	\$149,734	\$74,867	50	\$74,867	50	\$151,532	\$75,766	50	\$75,766	50	\$153,502	\$76,751	50	\$76,751	50	
		Thurston (Total P.L. 106-393 receipts < \$100,000)																					
Total allocations / aggregated			\$24,735,162	\$14,414,956	55	\$10,510,205	36	\$25,248,972	\$15,407,995	61	\$9,840,977	32	\$26,119,163	\$17,232,771	65	\$8,886,393	35	\$26,423,891	\$17,547,296	65	\$8,876,595	35	

mean percentage of allocations  
(46 counties and cities reporting)

\* Medford BLM RAC. Data for Josephine and Jackson counties are total BLM payments to the counties. Title II funds from the counties are then subdivided between several different RACs

Data for Klamath county are funds received from the BLM only. BLM payments allocated to Title II are only used for the Medford BLM RAC.

## **APPENDIX II RESEARCH METHODS**

This research project is an assessment of the implementation of P.L. 106-393, the Secure Rural School and Community Self-Determination Act of 2000, on public lands managed by the Forest Service and the Bureau of Land Management. The Sierra Institute examined specific Title II and Title III project outcomes, and evaluated the institutional mechanisms established at the federal and county levels to implement P.L. 106-393. The study also assessed if and under what conditions stakeholder collaboration, as structured by the RAC process, leads to innovative approaches that satisfy both social and resource management objectives. A fundamental research objective was understanding how effective these mechanisms were for implementing the legislation.

In order to explore these questions, the Sierra Institute designed an approach combining 16 case studies with a legislative analysis of the origins and development of P.L. 106-393. The Sierra Institute also conducted two ancillary studies. One involved the collection and analysis of statewide data on Title III expenditures for California. The other reviewed how agencies have charged and collected administrative and project overhead costs related to the Title II program.

### ***Advisory Committee and Research Team***

At the beginning of the study, the Sierra Institute convened an advisory committee to assist in reviewing the research design and to make recommendations concerning case study selection, study criteria, and research products. The eight committee members come from five states. Most of them have direct responsibility on behalf of one of the federal agencies for some aspect of the secure payments program, or they have first-hand experience in a RAC, or with county deliberations on the implementation of the program. One member of the advisory committee is also a member of the Forest County Payments Committee, established by Congress to review the legislation and mechanisms for payments to counties with federal lands. The advisory committee has participated in the project through six conference calls, one in-person meeting with the research team, detailed review of the draft final report, and on occasion, as direct informants on issues with which they have first hand experience.

A seven-person research team carried out the case study research. The full team met on three occasions to discuss research process, questions, and protocol. Team members worked as pairs during the initial period of case research to standardize field research methods and approaches. Eight of the 16 cases had two researchers involved in the fieldwork. In some cases two team members jointly wrote the final case study report. A subset of the research team met three times to develop the structure and organization of the final report. This subset of three team members was jointly responsible for writing most of the final report.

In addition to the case study research team, other individuals involved in this research include Dr. Hannah Cortner, a recently retired professor from Northern Arizona University's Ecological Restoration Institute, and two Sierra Institute interns. Working with the study's principal investigator, Dr. Cortner led the institutional assessment involving research and analysis of the origins and development of P.L. 106-393. The Sierra Institute interns were responsible for conducting the two ancillary studies on Title III expenditures in California and on agency overhead and administrative expenses.



### *Case Study Methodology*

The community-based assessment uses a multiple case study design to analyze Titles II and III of the Secure Rural Schools and Community Self-Determination Act. This approach involves the joint study of a number of cases to understand a particular phenomenon, population, or general condition (Herriott and Firestone 1983, Stake 2000). Yin defines a case study as "an empirical inquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident" (1993:13).

A multiple case study approach allowed the research team to examine a diverse array of projects. This made it possible to address the complexity associated with Titles II and III and their associated projects, and at the same time to examine the relationships between communities, their contextual settings, and Title II and Title III outcomes. This study design consequently allows us to develop a richer and more clearly articulated understanding of rural community outcomes and project and program outcomes than would have been possible using either random sample surveys or a single case study approach.

The researchers working on the 16 case studies in this study spent from one to three weeks in the counties and communities associated with a RAC (or with one forest, in the case of Pennsylvania). The community-based nature of this fieldwork involves extensive, semi-structured interviews with a wide diversity of people, an approach that is characteristic of much of the research conducted by the Sierra Institute, and for which the Institute is well known. This approach to empirical research, while it requires care and skill in the interpretation of data, also generates more integrated and holistic analyses than the commonly used formal survey-based research method. Furthermore, the Sierra Institute routinely shares initial findings in the form of a draft report with interviewees, soliciting their feedback, and incorporating interviewee comments where appropriate as the final report is refined and completed. This practice improves the accuracy of the final product.

### *Case Selection Process*

The research team chose the locations of the case studies with the help of the advisory committee. In choosing the cases, we wanted to make sure that a wide array of outcomes, challenges, and issues associated with RACs and counties would be covered. We did not set out to find successes or failures, but diverse programs, and, to the extent possible, diverse outcomes. We selected case studies, specifically, that would cover a wide range of key variables including the amount of funds available for RAC project recommendations; single versus multiple county participation in the RAC; geographic size and complexity of the area; state and regional diversity; variation in Title II and Title III allocations; stage of RAC development; and extent and diversity of project funding. The Forest Service and BLM databases were used in this process to assist researchers with RAC and project identification. Since receipt payments from the Bureau of Land Management-managed Oregon and California (O&C) lands account for some 25% of the almost two billion dollars spent to date on Titles I, II, and III, three Oregon Resource Advisory Committees that receive Bureau of Land Management receipt payments are included in the study. The remainder of the cases involve U.S. Forest Service national forests and, with the exception of Pennsylvania which had no RAC, Forest Service RACs. The states in which cases were conducted include the eight states receiving the highest P.L. 106-393 payments. The ninth state, Pennsylvania, is ranked number 10 in terms of its full receipt payment. Case studies are in

states where collectively 99% of Title II allocations and 86% of Title III allocations have been made.

### *Case Study Fieldwork*

Researchers spent between 7 and 14 weeks to complete the research, analysis, and writing of each case study. The first step in conducting a case study was to collect information on community and county background and Title II and Title III projects. Researchers gathered background information from the agencies, counties, libraries, and through preliminary phone interviews. Title II and Title III project information was collected from agency websites, the Resource Advisory Committee itself, and relevant county offices. Interviews were set up prior to fieldwork with RAC members, project recipients, county and agency personnel, and other key informants.

Researchers collected comprehensive information on Title II projects for each case study. Where possible, this included quantitative information on the socioeconomic and ecological accomplishments of RAC-recommended Title II projects. In most, but not all cases, researchers also obtained comprehensive information regarding Title III projects. Some case studies of multi-county RACs do not include all Title III projects. Researchers followed a standardized decision-making procedure to determine whether or not to attempt to collect information on all Title III projects. Following this procedure, the preferred approach is to include all Title III projects in the analysis (this is most feasible with single-county RACs). For multi-county RACs, if it is not possible to include all Title III projects in the case study, then a sample of projects within the RAC area were selected or the array and pattern of projects in the participating counties were examined along with a sample of projects. Also, with multi-county RACs, the process of project selection or funding allocation, and contrasting approaches among counties with the RAC, were discussed.

Once in the field, researchers conducted interviews with RAC members, county officials, project leaders, agency leaders—locally and regionally when appropriate—and other key people knowledgeable about the Title II and Title III implementation in their area and natural resource management issues in general. The interviews were semi-structured. Researchers used key questions to structure the interviews, but also encouraged interviewees to follow lines of thought that were particularly interesting or important to them (see Addendum 1 for a list of case study questions). Researchers took extensive written notes during the interviews and kept separate files regarding lessons learned and other key institutional issues, including possible implications of local understanding for national legislation, and suggested revisions to or modification of the legislation.

Researchers also added to the sample of interviewees by asking and following up on recommendations for further informants in the course of interviews. Researchers visited RAC projects to observe and to learn first hand about their outcomes. When possible, researchers also attended RAC meetings, either by scheduling the fieldwork to overlap with a meeting or by making a return trip to attend. Depending on the size and complexity of the case, researchers spent from one to three weeks in the field.

### *Case Study Write-Up*

Following the period of fieldwork, researchers began the task of interpreting the data collected and writing up the results. Each case study is organized in a similar manner. After reviewing the broader county and regional context within which a particular RAC and Title III

program is situated, researchers examine how counties chose to apportion funds between Titles II and III. This leads into a discussion of the Title III program, which includes analysis of the process through which counties award Title III funds and the types of projects that are supported. Also included in this section is a discussion of several individual Title III projects.

The next section of the case study involves the Title II program. It begins with a general review of the pattern of Resource Advisory Committee support for projects by project category (see Addendum 3 for a list of these categories). This is followed by a discussion of each project category, often including descriptions of particularly significant individual projects. After reviewing Title II projects, the study addresses the various processes associated with the formation and operation of the Resource Advisory Committee. This discussion includes analysis of the decision-making process within Resource Advisory Committees and the relationships between the committee and the federal agency, and between the committee and county government. Conclusions, including, in some cases, recommendations, are presented at the end of the report. During the writing process it was not unusual for researchers to follow-up particular issues or questions through further phone interviews with key informants.

Drafts of each case study were reviewed internally and re-written two to four times. Following the preparation of the draft case study report, hard copies were mailed to every individual who had been interviewed during the fieldwork. This was to solicit comments, corrections, suggestions, and critiques from our informants. Without exception, the comments received for each case study allowed the researchers to improve the quality of the final product – both in matters of factual reporting, as well as offering further insights for nuanced interpretative analysis. Some cases were again sent out for review after the first round of comments had been incorporated. Throughout this process the Sierra Institute responded to and incorporated feedback while retaining editorial control and final decision-making authority over the interpretation and conclusions presented in the case studies.

The fieldwork for the case studies was conducted during two different phases because the study was funded by two sequential contracts. The first contract allowed the Sierra Institute to initiate the assessment and to test the methodology through four initial case studies. After a five-month gap, the second contract supported the rest of the case studies and associated research and report writing. The four case studies conducted during the first stage of the project only covered the first three years of P.L. 106-393. Most of the cases studies were conducted during the second phase. These cases include four and sometimes five years of implementation of the secure payments program.

### ***Legislative Analysis Methodology***

Analysis of the legislative origin and history of P.L. 106-393 was undertaken to complement the detailed community-based research of the case studies. This analysis includes a detailed review, based on secondary data sources, of the history of payments by the federal government to rural counties that contain federal public lands and the efforts of local and interest groups to stabilize and secure such payments. Using documentary sources and interviews with key informants, the analysis discusses the intent of Congress in relation to P.L. 106-393. It examines issues surrounding the legislative debate in order to understand the actions congressional and administrative negotiators undertook to achieve an acceptable piece of legislation. The analysis reviews the debates regarding this legislation that occurred both in the House of Representatives and the Senate, and it elaborates on the diverse forces whose influence gave the final version of P.L. 106-393 its structure and function. Through a close reading of the

provisions of the legislation, the analysis also describes how legislators envisaged the implementation of Title II and Title III, including how Resource Advisory Committees would be formed and operated.

Because of the close relationship between the Secure Rural Schools legislation and the Forest Counties Payments Committee legislation (Sec. 320 P.L. 106-291), the legislative histories of both pieces of legislation were reviewed. Documents scrutinized included House and Senate hearings and reports, floor debates contained in the Congressional Record, and briefing documents prepared for congressional members by the Congressional Research Service. Other documentary sources included published research reports and scholarly articles addressing the two acts.

This part of the project combined documentary research with extensive interviews. Researchers interviewed key administration officials and congressional staff for their insights about congressional negotiations, their understanding of the legislative intent, and their perspectives on successes and challenges with implementation. Other interviewees included representatives of key stakeholder groups. Researchers reviewed the legislative record and consulted with members of the study's advisory committee to select informants for interviews. (see Addendum 4 for a list of interviewees). To preserve the anonymity promised to each interviewee, quotes from interview material are not attributed to any particular individual. Approximately 30 interviews of approximately one hour each took place between July and August 2005. Researchers conducted some interviews by telephone and some in person. All interview questions were open ended (see Addendum 2 for a list of questions). Generally, however, questions fell into the following categories: 1) development and passage of the act, including issues and negotiations during the legislative process; 2) origins of Title II and the structure of the RACs included within Title II; 3) what is working and not working with RAC processes and recommendations for change; 4) origins of Title III, expectations, and implementation issues; 5) reauthorization issues and prospects.

### ***Ancillary Study of Administrative and Project Overheads***

The Forest Service and the Bureau of Land Management have covered some of the costs associated with implementing Title II using appropriated funds. However, they have not been able to pay for all Title II administrative and overhead costs with appropriated funds. As a result, the agencies have negotiated different arrangements with RACs for using a portion of the RAC's budget to cover agency-related overhead. In order to determine the range and variation of these negotiated arrangements, the Sierra Institute surveyed approximately 40 different RACs in California, Oregon, and Washington. The Designated Federal Officials (DFO) of Bureau of Land Management and Forest Service RACs in Oregon and California were contacted by phone to obtain information about the methods they used to cover the costs of administrative and project overhead. The survey asked about 1) the ways agencies cover the administrative costs associated with facilitating the RAC process; 2) the various overhead rates charged for agency ("in-house") projects and projects implemented by non-agency ("external") entities; and 3) how and why these rates have changed, if they have. Questions were also asked regarding the reactions of RAC members and project coordinators to overhead charges. The Sierra Institute also obtained data from a survey of overhead rates in all of the Forest Service RACs in Washington and Oregon. This information, supplemented with the data on overhead charges from the case studies outside California, Oregon, and Washington, was entered into a database for further analysis.

### ***Ancillary Study of Title III Expenditures in California***

The criteria we developed for selecting the 16 case studies ensured that a broad range of Title II programs and RACs were chosen for in-depth fieldwork. However, this approach also made it difficult to fully assess Title III. Therefore, in order to complement the analysis of Title III programs in the case studies, this project included a separate review of all of the Title III projects in California. This review of one state's experience with Title III was intended to provide a comprehensive picture of what sorts of projects were being supported with Title III funds, and how Title III programs were developing.

The Forest Service's Title III database was the starting point for this review. Each county listed on that database was contacted by phone and asked to provide data on how the county spent Title III funds, by category. Counties were also asked to describe the process by which they allocated Title III funds. Collecting this data proved to be challenging. It was sometimes difficult to find someone who knew about the program or who maintained the data. In some counties it seemed that there was no single person responsible for maintaining and tracking the data. In other counties, administrative staff kept only paper records with no electronic accounting system to facilitate access. Where records were electronically maintained, some counties sent reams of budget printouts from which it proved to be extremely difficult to extract specific data on Title III expenditures. In many cases it took repeated calls over a three-month period to secure data.

By the end of this sub-study, a total of 83% of all Title III expenditures through 2004 were included. It is less than 100% because not all 2004 funds had been expended by the time the survey of county expenditures ended in mid-August of 2004. (By August of 2004 we estimated that 95 to 98% of all expenditures were included.) Some funds were also carried over from 2004 to 2005. The information contained in this database informs the Title III analysis and discussion sections of the final report.

### ***Final Report Preparation and Dissemination***

Preparation of the final report involved integrating the findings from the case studies, the legislative analysis of P.L. 106-393, and the ancillary studies of agency overhead rates and of Title III expenditures in California. In addition to drawing on the interpretive and institutional findings of the 16 case studies regarding Titles II and III, the final report also analyzed counties' allocations of funds between Titles II and III from 2002 to 2005, as well as shifts in these allocations for the nine states in which case study fieldwork was conducted.

A smaller subset of the full research team took responsibility for writing the final report, following a full research team meeting to discuss the structure and content of the final report. The report is the outcome of numerous iterations of the various sections and case studies. Key officials within the Departments of Interior and Agriculture had an opportunity to review the draft report, as did the advisory committee. The completed final report has incorporated comments and feedback from these reviewers.

## ADDENDUM 1

### Title II and Title III Questions for Semi-Structured Interviews in Case Studies

*This list is a starting point for the semi-structured interviews. Researchers are not expected to ask all of the questions below, nor should these be considered a complete list of possible questions. This list should be used as a guide as to what might be asked in an interview.*

#### *For case study researchers*

Review and understand each of the projects and the local contextual setting. Look for overlap and trends in kinds of project support. Can the projects be categorized and discussed together by categories?

Use a snowball sampling procedure to identify people to interview. In addition to people who received project dollars (Title II and III), are there key people in the geographic RAC/Title III area who have a unique perspective on the RAC, distribution of Title II and Title III dollars, Forest Service or BLM management of the RAC, or the array of projects that have been supported? Are there key people to talk to whose project proposals have been rejected (and who have more than just sour grapes about being refused)?

#### *Questions for interviewees*

What was accomplished with the project(s)?

How did project accomplishments fit with what was proposed?

How did the project fit with other projects (both Title II and Title III)? Did it complement other projects?

Were any jobs produced? (short- or long-term? Might there be jobs produced in the future as a result of this project?)

Who received project dollars and the work contract(s)?

What contracting mechanism was used? Was there any attempt to assure local employment was generated? Was best value contracting used?

Was worker training a part of a project?

How many workers were served and for what duration? Did it lead to additional work or opportunities for workers?

What (if any) communities benefited?

How did they benefit?

How did this project fit with community needs and interests?

Using the capitals framework (involving financial, physical, human, social, natural, and cultural capital), how did the project (or suite of projects) affect community assets?

Has the RAC or Title III process led to more dialogue around resource issues? Has it affected perspectives or the ability and willingness of different interest groups to work together? How so? Has it affected group or individual relationships? If yes, how so?

What biophysical outcomes resulted from a project? Describe the outcomes in quantitative terms when possible (e.g., acres treated, sediment reduced, etc.), but you should by no means restrict responses to quantitative outcomes.

How many road miles were treated? How many acres were treated? How do these totals comport with what the applicant said their project would accomplish?

Did Title II or Title III dollars leverage additional funds? How much? Did they leverage additional work?

Have Title II and Title III projects been integrated in any way? (Have they leveraged each other?)

What kind of variation has there been in Title II and Title III authorities? Has this affected project selection and outcomes?

### *Agency/Institutional*

#### *For Title II*

How effective has the direction by the Designated Federal Official been? How effective has the work of the RAC coordinator been? Have RAC members and others been pleased with their performance? Why or why not?

What role has the agency (Forest Service or Bureau of Land Management) played in identifying projects? What role has the agency played in determining the type and range of projects submitted or that can be approved? Are RAC members and others comfortable with this role? RAC-approved projects should benefit public land directly or indirectly. Do all projects do this? How many projects pay the federal agency for work?

Do some projects support NEPA work? What percentage?

Does the supervising agency take a percentage of project dollars? If so, what percentage? Is it consistent across projects? Does it seem reasonable?

How well do the projects meet the intent and (and breadth) of the legislation? How have projects been monitored? Who is taking responsibility? Are there periodic reports to the RAC on funded projects?

Characterize the functioning of the RAC. How effective has it been? How effectively have members worked together? How might RAC functioning be improved?

Has the RAC process affected public-agency interactions/relationships? If so, describe them. Describe the project application and selection process. Has it been effective? How might it be improved?

Has there been sufficient outreach to people/groups in the RAC region?

Have there been particular perspectives/interests that have dominated the RAC? Have there been some perspectives that have been mostly ignored or left out?

Has project innovation been encouraged?

What sort of innovation has taken place? What have you learned?

Ask interviewees to identify and describe their three favorite projects and their three least favorite. [This may reveal patterns or offer other avenues to pursue.]

Are there projects that were not funded that you think should have been?

## **ADDENDUM 2**

### **Institutional Interview Questions**

#### *General questions about the act*

How were you involved in the development, passage, or implementation of the Secure Rural Schools and Community Self-Determination Act?

What are some of the ideas and principles that informed development of the Secure Rural Schools and Community Self-Determination Act?

Who were the primary catalysts for its development?

Who was/were the lead(s) primarily responsible for moving the bill through the House? The Senate?

Can you identify key factors that helped motivate people to move the legislation?

How was the West able to sell the bill to Eastern constituents, given the distribution of the dollars?

#### *Specific Title II questions*

Who decided to create Title II?

Why was the model of the BLM RAC—along with the categories—seemingly adopted whole cloth?

What is your sense of the success of the RAC process?

What hasn't worked?

Knowing what you know now, what changes would you have made six years ago?

What changes to Title II would you make today? Why?

Do you recommend that these changes be made legislatively or administratively?

Would any of the changes that have been proposed by others jeopardize the broad bi-partisan coalition that now seems to exist in favor of reauthorization?

The legislation mandated federal-local collaboration and collaboration among diverse national and local interests. Do you think there will be any extensions of this institutional model in federal land policy or in other policy areas in the future?

#### *Specific Title III questions*

What were the driving concerns (legislative intent) behind the establishment of Title III?

Who were the drivers?

Has Title III met expectations (yours and others)?

What has worked? What hasn't worked?

Concerns have been raised about Title III fund accountability.

Do you share any of these concerns?

If there are problems, how widespread are they?

How would some of the ideas that have been suggested impact the division of responsibility between federal and local authorities?

Do you have any preferences about how to handle this?

What changes do you favor in terms of Title III and why?

#### *General Summary Questions*

The legislation calls for counties (or in the case of Alaska some other entity) to determine the allocation of Title II dollars? Do you see any problems with this arrangement?



Some have suggested that the role of the county in this legislation is one that determines the amount of Title III or federal dollars. Isn't it unique to have the county determine how much federal government money is in Title II?

Another way of viewing this is that the county can be seen as holding power over the RAC in terms of allocating dollars (that is, if the RAC doesn't do what the county wants the RAC to do, it withdraws funding). How might this be avoided? What measures might be put in place to prevent the county from lording over the RAC with the power that comes from determining RAC funding?

Are there examples elsewhere of an arrangement in which the county determines how much money is allocated to a federal program?

What have been the biggest advantages/benefits of the institutional design of the Secure Rural Schools legislation?

What have been the biggest disadvantages of the institutional design put into place by the legislation?

Knowing what we know today, what would you have liked to do differently six years ago?

How specifically has this legislation altered federal-local responsibilities from the way they were under the 25% legislation, passed in 1908?

### ADDENDUM 3

***Standardized Project Categories***  
(based on categories in P.L. 106-393, Section 2b)

Roads	Roads, Trails, and Infrastructure maintenance or obliteration
Soils	Soil Productivity Improvement
Forest Health	Forest Ecosystem Health
Watershed	Watershed Restoration and Maintenance
Habitat	Wildlife and Fish Habitat
Weeds	Noxious and exotic weed control
Natives	Re-establishment of native species
Fuels	Fuel Management
Recreation	Recreation infrastructure and facilities
History	Historic Preservation
Other	Includes Administrative Costs; NEPA



#### **Addendum 4**

#### **Interviewees for Institutional Assessment**

Sarah Bittleman	Natural Resources Counsel, Senator Ron Wyden
Linda Brett	Policy Analyst, U.S. Forest Service
Tom Brumm	Oregon Economic and Community Development Department, now Sierra Institute for Community and Environment
Andy Brunelle	Capitol City Coordinator, U.S. Forest Service
Mary Columbe	American Forest and Paper Association
Doug Crandall	Chief of Staff, House Resources Subcommittee on Forests and Forest Health
Kira Finkler	Staff Member, Senate Energy and Natural Resources Committee, now Trout Unlimited
Frank Gladics	Staff Member, Senate Energy and Natural Resources Committee
Ross Gorte	Congressional Research Service
Chris Nota	Regional Foresters Representative, U.S. Forest Service
Randle Phillips	Executive Director, Forest County Payments Committee
Steve Quarles	Partner, Crowell and Moring, LLP.
Tom Quinn	U.S. Forest Service Washington DC, now Forest Supervisor, Stanislaus National Forest
Mark Rey	Undersecretary for Natural Resources and the Environment
Quinton Robinson	Staff Member, House Agriculture Committee, now consultant
Maitland Sharpe	Policy Analysis Director, U.S. Forest Service, now retired
Ed Shepard	Assistant Director, Renewable Resources and Planning, Bureau of Land Management
Andy Stahl	Forest Service Employees for Environmental Ethics
Dave Tenny	Deputy Undersecretary, U.S. Department of Agriculture
Chris Wood	Assistant to Forest Service Chief, now Trout Unlimited